

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8509 of 2018**

Smt. Shyama Yadav W/o Shri Dhanush Yadav Aged About 28 Years R/o
Village-Chilfi, Post- Dadhi, Tahsil And District- Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Women And Child Development Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
2. The Collector District- Bemetara, Chhattisgarh.
3. The District Programme Officer Women And Child Development Department, Bemetara, District- Bemetara, Chhattisgarh
4. The Project Officer Integrated Child Development Project, Khandsara, District- Bemetara, Chhattisgarh.
5. The Chief Executive Officer Janpad Panchayat, Bemetara, District- Bemetara, Chhattisgarh
6. Rukmani Yadu D/o Jagnath Yadu Aged About 38 Years R/o Village-Chilfi, Post-Dadhi, Tahsil And District- Bemetara, Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Ajay Kumrani, Advocate
For State	:	Mr. R.N. Pusty, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/01/2019**

1. The grievance of the petitioner in the instant case is that the respondent No.6 has been wrongly appointed as an Anganbadi worker of Anganbadi Centre, Chilfi vide order dated 10.09.2018.
2. The contention of the petitioner is that even before the appointment orders were issued, the petitioner has raised an objection before the Collector, but no decision has been taken on the objection and an order of appointment has been wrongly passed in favour of the respondent No.6.

3. Perusal of the record would show that the appointment of the respondent No.6 as an Anganbadi worker is an order which is appealable and the appeal would lie before the Collector and the petitioner it seems has not availed the remedy of appeal and has straight away filed the present writ petition.
4. Given the said factual matrix of the case, this Court is of the opinion that, since there is an alternative remedy available to the petitioner, this Court at this juncture would not be inclined to entertain the same. Reserving the right of the petitioner to prefer a fresh appeal before the Appellate authority within a period of two weeks from today, the present writ petition stands disposed of and on such appeal being filed, the Appellate authority shall consider the appeal on its merit ignoring the delay, if any, in the filing of the appeal and shall decide the same on its merit at the earliest preferably within a period of 60 days from the date of receipt of the appeal.
5. With the aforesaid observations, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge