

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVIL

WRIT PETITION No.31051 of 2010

ORDER:

This writ petition is filed seeking the following relief :-

“..... to issue any appropriate writ, order or direction preferably a writ in the nature of Writ of Mandamus declaring action of the respondents in not issuing the appointment orders in pursuance of the interviews conducted and the candidates have been selected and forwarded by the 2<sup>nd</sup> respondent to the 3<sup>rd</sup> respondent in his proceedings Rc.No.CC/ ICDS/ 2008 dated 31.10.2008 as illegal, arbitrary, malafidy, intentional and consequently direct the respondents to issue appointment orders to the petitioners.....”.

Heard Mr.K.V.Bhanu Prasad, learned counsel for the petitioners and the Assistant Government Pleader for Women Development and Child Welfare Department and Mr.M.Srinivas Swarup, learned counsel for the impleaded petitioner.

It has been contended by the petitioners that they are fully eligible and qualified to be appointed as Anganwadi workers and the respondents have issued Notification for filling up the post of Anganwadi workers. Since the petitioners are eligible and qualified to be appointed as Anganwadi workers, they have responded to the said Notification and participated in the selection process. After undergoing regular selection process, the petitioners were appointed as Anganwadi workers and the 2<sup>nd</sup> respondent has forwarded proposal to the 3<sup>rd</sup> respondent vide proceedings dated 31.10.2008 to take further necessary action, but the 3<sup>rd</sup> respondent instead of taking further action by issuing appointment orders was contemplating to issue fresh Notification at the behest of local MLA and the 3<sup>rd</sup> respondent was not issuing appointment orders in favour of the petitioners, even though they were selected pursuant to regular selection process.

Learned counsel appearing for the petitioners submits that appropriate orders be passed in the writ petition directing the respondents to consider the cases of petitioners for appointment as Anganwadi workers pursuant to the recommendations made by the 2<sup>nd</sup> respondent vide proceedings dated 31.10.2008 and pass appropriate orders in accordance with law.

The learned Government Pleader appearing for the respondents has contended that this Court was pleased to grant interim direction not to issue fresh Notification for filling up the post of Anganwadi workers and the cases of the petitioners would be considered for Anganwadi workers, if they come within the zone of selection and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions made by the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents more particularly the 3<sup>rd</sup> respondent to take further necessary action pursuant to the recommendations made by the 2<sup>nd</sup> respondent vide proceedings dated 31.10.2008 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is needless to say that the respondents shall consider the cases of all eligible and meritorious candidates including the case of impleaded petitioner.

With the above observations, the writ petition is disposed of.  
No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

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ABHINAND KUMAR SHAVIL, J