

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 5398 OF 2021**

- Santoshi Mahant W/o Shri Krishna Das Mahant Aged About 44 Years R/o Village Deragarh, Post Dumarpara, P.S.-Baradwar, Tehsil Sakti, District Janjgir Champa (C.G.), District : Janjgir-Champa, Chhattisgarh

... Petitioner**versus**

1. State of Chhattisgarh, through Secretary, Department of Women and Child Development, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur (C.G.)
2. The Director, Directorate, Women and Child Development, Raipur.
3. District Programme Officer and Child Development Officer, District Programme Officer and Child Development Officer, Department of Women and Child Development, District Janjgir Champa (C.G.)
4. The Project Officer, Integrated Child Development Scheme, Sakti District Janjgir Champa (C.G.)
5. The Chief Executive Officer, Janpad Panchayat, Sakti, District Janjgir Champa (C.G.)
6. The District Collector, District Janjgir-Champa (CG)

... Respondents

For Petitioner	:	Mr. Ashish Beck, Advocate.
For Respondent-State	:	Mr. Kunal Das, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****[06/10/2021]**

1. Grievance of Petitioner in the present Writ Petition seems to be the action on the part of Respondent No.4 who is said to be unnecessarily creating hurdles on the appointment of Petitioner as Anganwadi Worker for Anganwadi Centre at Charpara, Village Deragaon, Tahsil Sakti, District Janjgir-Champa (CG).
2. Learned Counsel for Petitioner submits that initially the Petitioner was shown as lower in the order of merit and on verification it was found that she was not awarded 6 marks which she was entitled for in the BPL category. Petitioner immediately raised an objection. The objection was duly considered by Respondent No.2 and it was ordered that Petitioner be granted 6 additional marks and thereby it was found that Petitioner would become thereafter the most meritorious candidate for appointment to the

post of Anganwadi Worker at Charpara Centre. However, in spite of Annexure P-6 having been passed on 9.11.2020 till date the Respondents have not taken any further steps and the Respondent No.4 has now passed the Order dated 2.1.2021 (Annexure P-8) and is taking the plea of alleged restriction/prohibition imposed by the State Government in issuance of order of appointment.

3. This Court is of the opinion that the said decision taken by Respondent No.4 does not seem to be proper, legal and justified. In case, if the Anganwadi Workers for all other Centers of Anganwadi in District Janjgir-Champa have been considered for appointment, there is no reason why the claim of Petitioner for appointment to the said post be not considered. The so called restriction/prohibition imposed by the State Government cannot be made applicable in isolation only in respect of Petitioner's appointment or, for that matter, for appointment of Anganwadi Workers at Charpara Centre.

4. Given the said facts, this Court is of the opinion that the present Writ Petition at this juncture can be disposed of directing Respondents No.2 & 3 that based upon the decision of Respondent No.2, dated 9.11.2020, let appropriate steps be taken for concluding recruitment process for appointment to the post of Anganwadi Worker at Charpara Centre, Village Deragaon, Tahsil Sakti, District Janjgir-Champa (CG), at the earliest, preferably within a period of 60 days from the date of receipt of copy of this Order.

5. Writ Petition stands allowed and disposed of accordingly.

Sd/-
(P. Sam Koshy)
Judge