

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 5827 OF 2022

Sabita Khatua

**..... *Petitioner*
*Mr. B.K. Mishra, Adv.***

-versus-

State of Odisha & Ors.

**..... *Opposite Parties*
*Mr. K.K. Gaya, ASC.***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
11.03.2022**

Order No.

01.

1. This matter is taken up through Hybrid Mode.
2. Heard Mr. B.K. Mishra, learned counsel for the petitioner and Mr. K.K. Gaya, learned counsel for the Opposite Parties.
3. Learned counsel for the petitioner states that by order dtd. 28.08.2019, the Child Development Project Officer (CDPO), Badasahi- Opposite Party No.5 published a select list in respect of Sanlapur Anganwadi Center. It is seen that the petitioner passed 10th and belonging to Schedule Caste community was at Serial No. 1 in the select list. Assailing such selection one Laxmimani Mahalik, who was at Serial No.2 of such list preferred Misc. (Res) Appeal Case No.5 of 2019 inter alia assailing the residential certificate granted to the present petitioner. By order dated 11.01.2022 such appeal has been dismissed. Copy of which has been annexed as Annexure-4 to the writ petition.
4. It is the grievance of the petitioner that, even after dismissal of the appeal challenging his appointment, she is not

being appointed as Anganwadi helper of Sanlapur Anganwadi Center and ventilating her grievance she has preferred a representation to the Child Development Project Officer (CDPO), Badasahi- Opposite Party No.5 on 02.02.2022 which was sent by the Registered Post (Annexure-5) on the very next date and prays for a direction to the CDPO to consider her representation and issue the appointment order in her favour to join as Anganwadi helper at Sanlapur Anganwadi Center.

5. On a conspectus of materials available on record, this Court does not find any justification in not giving appointment to the petitioner as Anganwadi helper at Sanlapur Anganwadi Center. Since admittedly appeal challenging her appointment has been dismissed by the order at Annexure-4.

6. Hence, it is directed that the Collector & District Magistrate, Mayurbhanj (Opposite Party No.2) shall consider the representation dtd. 02.02.2022 at Annexure-5 within a period of four weeks from the date of production of the certified copy of this order of this Court and issue necessary orders for appointment to the petitioner as Anganwadi Helper, if there is no other legal impediment. If there is any impediment the same shall be communicated to the petitioner within the above time frame.

7. With such direction, the writ petition stands disposed of.

8. Urgent certified copy of this order be granted as per rules.

(V.Narasingh)
Judge