

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.331 of 2015

Binapani Sahoo

....

Appellant

Mr. A.K. Mishra, Advocate

-versus-

Additional District Magistrate, Respondents
Jagatsinghpur and another

Mr. Debakanta Mohanty, A.G.A. for the State

CORAM:

THE CHIEF JUSTICE

JUSTICE M.S. RAMAN

ORDER

08.12.2022

Order No.

01. 1. The challenge in the present writ appeal is to an order dated 30th April, 2015 passed by the learned Single Judge dismissing the Appellant's W.P.(C) No.16710 of 2010 challenging an order passed by the Additional District Magistrate, Jagatsinghpur (ADM) on 28th August, 2010 dismissing her appeal being AW Appeal Case No.25 of 2010 whereby she had challenged the appointment of Respondent No.3, as Anganwadi Worker (AWW) at the Kirtanpur Additional Anganwadi Centre (AWC).
2. The ground on which the Appellant challenged the appointment of Respondent No.3 was that she was not a resident of Kirtanpur village which was the area of the AWC, but shown to be a resident of village Charisahi P.S. Tirtol. The ADM noted that the AWC at Kirtanpur had been reconstituted and as a result of such reconstitution, certain other areas viz., Bairagi Matha, Kirtanpur

and Charisahi had been brought within the purview of the AWC Kirtanpur. Inasmuch as Respondent No.3 was a resident of Charisahi, she was given the appointment as she was more meritorious than the Appellant.

3. Learned counsel for the Appellant takes exception to the appointment letter issued to Respondent No.3 which showed her to be a resident of village Kirtanpur when even according to her she was a resident of village Charisahi.

4. The fact of the matter is that Respondent No.3 was not ineligible to be appointed as AWW in the AWC, Kirtanpur once the area of the said AWC got reconstituted and Charisahi was included in that area. Therefore, notwithstanding that the letter of appointment may have indicated Respondent No.3 to be a resident of village Kirtanpur, when in fact she was a resident of village Charisahi, that would not make her ineligible to be appointed as AWW at the said AWC.

5. Consequently, the Court finds no reason to interfere with the impugned order of the learned Single Judge. The writ appeal is accordingly dismissed.

(Dr. S. Muralidhar)
Chief Justice

(M.S. Raman)
Judge