

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 37 of 2017

Smt. Manani Bariha

....

Appellant

Mr. P.K. Ray, Advocate

-versus-

State of Odisha and others

....

Respondents

Mr. M.K. Khuntia

Additional Government Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE M.S. RAMAN**

**ORDER
14.11.2022**

Order No.

- 04.
1. The challenge in the present writ appeal is to an order dated 2nd January 2017, passed by the learned Single Judge dismissing the Appellant's W.P.(C) No.18801 of 2016.
 2. The challenge in the writ petition was to an advertisement dated 17th September, 2016 issued by the Child Development Project Officer (CDPO), Khaprakhole, District- Bolangir whereby the age limit for the post of Anganwadi Worker (AWW) in respect of the Nandupala Anganwadi Centre (AWC) under the advertisement issued on 17th September, 2016 was the 18 years as on 01.01.2016.
 3. Admittedly, the Appellant was below 18 years of age as on 01.01.2016 and therefore was not eligible to apply for the said post.

4. The submission of learned counsel for the Appellant on the basis of the judgment in ***Dr. Ami Lal Bhat v. State of Rajasthan AIR 1997 SC 2964*** is that the gap between the cut-off date at the date of advertisement was too large, i.e., more than 8 months and this was itself a valid ground for quashing the advertisement.

5. It is seen that in ***Dr. Ami Lal Bhat v. State of Rajasthan (supra)***, the Supreme Court only said that the fixing of a cut-off date for determining the maximum or minimum age limit for a post should not be arbitrary. In the present case, although there may be a gap of 8 months between the cut-off date for determining the age and the date of the advertisement, it cannot, as has been observed by the learned Single Judge, be said to be so arbitrary or unreasonable. Moreover, as pointed out by the learned Single Judge, the advertisement itself was in consonance with the guidelines issued by the CDPO.

6. The Court is therefore unable to find any ground to interfere with the impugned judgment of the learned Single Judge. The writ appeal is accordingly dismissed.

(Dr. S. Muralidhar)
Chief Justice

(M.S. Raman)
Judge