

IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No. No. 498 of 2016

Shradhanjali Parida

....

Appellant

Mr.D.K. Mohanty, Advocate

-versus-

State of Odisha and others

....

Respondents

Mr. Iswar Mohanty, ASC

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

ORDER

11.10.2022

Order No.

04.

1.This appeal has been filed against an Order dated 27th September, 2016 passed by the learned Single Judge allowing the W.P.(C) No.13250 of 2015 filed by Respondent No.4.

2. The above writ petition had been filed by Respondent No.4 challenging the order dated 17th June, 2015 passed by the Sub-Collector, Nayagarh in AWC Misc. Appeal No.4 of 2013 whereby the appointment of Respondent No.4 as Anganwadi Helper (AWH) was set aside.

3. Respondent No.4 had been selected as Anganwadi Helper in Benta-II Anganwadi Centre in the district of Nayagarh. Pursuant to Mahila Sabha held on 10th August, 2011 at the meeting all the members present cast their votes in favour of Respondent No.4.

4. The present Appellant filed AWC Misc. Appeal No.4 of 2013 before the Sub-Collector, Nayagarh which was allowed by the Sub-Collector by setting aside the order dated 23rd September, 2011 engaging Respondent No.4 as AWH. The matter

was directed to be taken up afresh by convening MahilaSabha in the village.

5. The allegation by the present Appellant was that at the meeting convened to select Respondent No.4 as AWH was not in accordance with the prescribed procedure.

6. Before the learned Single Judge, the learned Additional Government Advocate produced the proceedings of the MahilaSabha register. Learned Single Judge noted that Respondent No.4 had been selected by consensus and the proceedings had been signed by C.D.P.O., Ranpur as well as L.S., Ranpur. Since the selection was by consensus, there was no occasion to go for vote.

7. Indeed, it appears to this Court that Respondent No.4 was selected by way of consensus. There was no occasion to take the decision by way of vote and therefore, the proceedings did not record any such voting.

8. No illegality appears to have been committed in the selection of Respondent No.4 as AWH. There is no ground made out to interfere with the impugned order of the learned Single Judge. The writ appeal is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge