

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 11020 of 2022

Babita Behera

....

Petitioner

Mr. T. K. Biswal, Advocate

-versus-

State of Orissa & others

....

Opp. Parties

*Mr. T.K. Praharaj, Standing
Counsel*

**CORAM:
JUSTICE M.S. SAHOO**

**ORDER
20.05.2022**

Order No.

01.

1. This matter is taken up through hybrid mode.
2. In view of the matter being disposed of at the stage of admission, the defects pointed out by the Registry are ignored.
3. It is submitted by the learned counsel for the petitioner that the petitioner is aggrieved by selection of opposite party no.5 as Anganwadi Worker relating to Gagadbahal (A) Anganwadi Centre which is a Rural and Tribal centre as per the relevant provision.
4. Learned Standing Counsel submits that in view of the specific guideline dated 02.05.2007 issued by the Department of Women and Child Development, Govt. of Odisha, as per para-7(ii)(i) of the said guideline, the appellate authority would be the Sub-Collector. The said provision is quoted herein:-

RJ

*Sub-Collector will be the appellate authority
for hearing complaints regarding selection of
Anganwadi Workers of tribal and rural*

projects and Addl. District Magistrate will be the appellate authority for complaints regarding selection of Anganwadi Workers for urban projects. Collector shall be the appellate authority in case Sub-Collector/ADM have approved the selection as per para 'g' and 'h' above."

5. It is further submitted by the learned Standing Counsel that as the matter involves adjudication of disputed question of fact, the petitioner has more efficacious alternative remedy in the form of appeal before the Sub-Collector.

6. Learned counsel for the petitioner fairly submits that the petitioner may be permitted to withdraw the writ petition to approach the appellate authority.

7. Accordingly, the writ petition is permitted to be withdrawn as prayed for. The appellate authority shall deal with the appeal in accordance with law as expeditiously as possible.

ORISSA

(M.S. Sahoo)
Judge