

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 19 of 2016

Mamata Pradhan

....

Appellant

Mr. S. S. Rao, Advocate

-versus-

State of Odisha and others

....

Respondents

Mr. Manoj Kumar Khuntia, AGA

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

ORDER

28.09.2022

Order No.

03. 1. The writ appeal is directed against an order dated 14th December, 2015 passed by the learned Single Judge dismissing the Appellant's W.P.(C) No.2267 of 2015 whereby the Appellant had questioned an order dated 2nd December, 2012 passed by the Additional District Magistrate, Cuttack dismissing the Appellant's Anganwadi Appeal No.4 of 2014.
2. The background facts are that an advertisement was issued on 20th February, 2009 inviting applications for engagement of Anganwadi Workers (AWWs) for Bandalo-3 Anganwadi Centre (AWC), which consists of three Sahis viz., Padhi Sahi, Patra Sahi and Bhandari Sahi.
3. The Appellant was not selected but one Mamatalata Tarai was selected and given appointment. After she resigned, the post fell vacant. Another advertisement was issued on 26th June, 2013 in which again the AWC area was described identically. The long and

short of the narration is that the private Opposite Party i.e. Respondent No.6 got selected. Her selection was challenged by the present Appellant on the ground that she was not a resident in the area in which the AWC was situated. She was shown to be residing in Bandalo Talashi.

4. Before the learned Single Judge, an affidavit was filed by the State Government explaining that Talasahi or Uppersahi is a part of the location. The learned Single Judge took note of the fact that the enquiry report of the CDPO revealed that Respondent No.6 was a resident of Tahasahi of village Bandalo. However, learned Single Judge noted that Talasahi and Bandalo are not two different villages but in fact was lower part of Bandalo village.

5. Having heard learned counsel for the Appellant, the Court is not persuaded to take a different view in the matter. The concurrent findings of both the ADM and the learned Single Judge on facts are against the present Appellant and in favour of Respondent No.6. Consequently, the Court finds no reason to interfere with the impugned order. The appeal is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

M. Panda