

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.26521 of 2022

Rasmita Gouda

....

Petitioner

Mr. K.K. Swain, Advocate

-Versus -

State of Odisha and others

....

Opposite Parties

*Mr. N.K. Praharaj,
Additional Government
Advocate*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

19.10.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner was engaged as Anganwadi worker under Tumbadandipalli Anganwadi center under Sheragada Block in the district of Ganjam by order dated 14.01.2011 in which she joined on 18.01.2011. The petitioner has been continuing as such till date. It is her case that because of domestic quarrel with her husband, she was deserted by him and while leaving her house he took away all the original records/documents/certificates including the original HSC certificate. It is submitted that basing on the original HSC certificate produced by the petitioner at the time of verification of documents way back in 2011, she was selected and appointed as Anganwadi worker. Her husband however lodged complaint that HSC certificate produced by the petitioner is a fake. On such basis, notices were

issued to the petitioner calling upon her to produce the original certificate for verification failing which necessary action would be taken against her. One such notice dated 20.09.2022 has been enclosed as Annexure -5 to the writ petition. It is stated in the notice that she had been called upon by the Sub-Collector, Bhanjanagar to appear on 12.07.2022 to produce the certificate, but she sought for time to produce the same. It is submitted that because of non-availability of the original certificate with her and the quarrel with her husband, who is staying separately, it has not been possible on her part to produce the certificate as required. It is further submitted that the copy of the certificate being already available with the authorities, the veracity thereof may be enquired into by them without insisting upon the petitioner to produce the original.

4. Considering the submissions, this Court is of the view that if the copy of the certificate is available with the authority, the Sub-Collector, Bhajanagar shall do well to get the same verified from the issuing authority and take a decision in accordance with law basing on the information so obtained.

5. The above exercise shall be concluded within a period of six weeks from the date of receipt of copy of this order or on production of certified copy thereof by the petitioner. Till such time, no coercive action shall be taken against the petitioner.

6. The writ petition is disposed of accordingly.

7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge