



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION No.1141 OF 2024

(Dipali wd/o. Umesh Damahe Vs. State of Maharashtra, through its Secretary, Women and Child Development, Mumbai and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Y.B. Mandpe, Advocate for petitioner.

CORAM : ANIL S. KILOR, J.

DATE : 20th FEBRUARY, 2024.

1. The appointment of respondent No.6 as Anganwadi Helper was challenged by the petitioner by raising objection to it on the ground that she is resident of Pitesur and not Rampur for which her appointment was made. The Chief Executive Officer held in favour of petitioner, however, Divisional Commissioner vide impugned order dated 29.1.2024, reversed the order of the Chief Executive Officer.

2. The Divisional Commissioner in his impugned order has categorically observed that after the marriage of respondent No.6 she would stay at Pitesur, however her husband died on 4.7.2017 and thereafter she shifted to her parent's house at Rampur.

3. In support of her claim respondent No.6 submitted documents, namely, Aadhar Card, Ration Card and the Certificate issued by the Headmaster of the School wherein the daughter of respondent No.6 is studying and

the Voters List.

4. The Divisional Commissioner has therefore held that from the documents filed by respondent No.6 it is evident that she is residing in Rampur since 2018, whereas, the advertisement for Anganwadi Helper was issued on 17.7.2023. Hence, the Divisional Commissioner found the order passed by the Chief Executive Officer as erroneous and reversed the same vide impugned order.

5. Nothing contrary to the said evidence brought by the respondent No.6 has been pointed out except the document i.e. Ration Card which is filed at Page No.51 of the paper-book.

6. The document that the daughter of respondent No.6 is studying at Rampur and the Aadhar Card are the relevant document on which the Divisional Commissioner has relied upon.

7. Moreover, it appears that the Ration Card submitted by the respondent No.6 is of Rampur whereas the Ration Card filed by the petitioner is of Pitesur. Hence, on the basis of ration card produced by the petitioner, the respondent No.6 cannot be removed.

8. Thus, I do not find any merit in the present petition, accordingly, it is **dismissed**. No order as to costs.

(ANIL S. KILOR, J.)