



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**BENCH AT AURANGABAD**

**WRIT PETITION NO. 4662 OF 2024**

Anita W/o Kishor @  
 Anita D/o Bhausahab Buchde,  
 Age : 28 years, Occ. : Household,  
 R/o Parner, Tq. Ambad, Dist. Jalna

**... PETITIONER**

**...VERSUS...**

1. The Additional Divisional Commissioner  
Chhatrapati Sambhajanagar
2. The Chief Executive Officer,  
Zilla Parishad, Jalna
3. The Child Development and Project Officer, Ambad  
Tq. Ambad, Dist. Jalna.
4. Shital Sandeep Pawar,  
Age : 23 years, Occ. : Household  
R/o Parner (Tanda), Tq. Ambad, Dist. Jalna

**... RESPONDENTS**

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 Mr. S. K. Chavan, Advocate for the Petitioner

Mr. V. S. Badakh, AGP for Respondent No. 1

Mr. Pralhad Bhagure, Advocate and Ms. S. G. Pujari h/f Ms. S. P. Bhagure, Advocate for Respondent No. 5  
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**CORAM : ROHIT W. JOSHI, J.**  
**DATE : JULY 16, 2025**

**ORAL JUDGMENT :**

1. The petitioner and respondent no. 2 had participated in a selection process for appointment to the post of Anganwadi Sevika for Anganwadi, Parner No. 2 at Village Parner. In the selection

process, respondent no. 5 secured 80 marks against 79 marks secured by the petitioner. Accordingly, appointment order came to be issued in favour of respondent no. 5. The petitioner had raised an objection with respect to selection of respondent no. 5 on 30.07.2021. Copy of the objection was not placed on record. However, today during the course of hearing of the petition, the learned advocate for the respondent nos. 2 and 3 has produced on record objection dated 30.07.2021 raised by the petitioner. The learned advocate has also produced original record for perusal of this Court. The copy of the objection dated 30.07.2021 is compared with the original and is found in order. This objection dated 30.07.2021 is a preliminary objection before issuance of appointment order. After selection of respondent no. 5 for appointment on the post, the petitioner filed appeal before the Chief Executive Officer, raising objection to eligibility of respondent no. 5 for appointment on the post of Anganwadi Sevika. The Chief Executive Officer has rejected the appeal vide order dated 24.02.2022. The petitioner thereafter filed Second Appeal against the order passed by the Chief Executive Officer before respondent no. 1. The said appeal is dismissed vide order dated 21.02.2024.

2. Initially, in the objection dated 30.07.2021 the petitioner contended that respondent no. 5 is not a resident of Parner, but a resident of Parner (Tanda). It was contended that Parner (Tanda) is at a distance of more than 4 km from village Parner. The contention was that since the Anganwadi was located at village Parner, respondent no. 5 ought to have been a resident of village Parner for being eligible for appointment to the said post. It is contended that respondent no. 5 was ineligible, since she is a resident of village Parner (Tanda).

3. Perusal of this objection will indicate that the petitioner did not dispute the fact that respondent no. 5 was a resident of village Parner (Tanda). In the appeal filed before the Chief Executive Officer, the petitioner raised contention that residence certificate submitted by respondent no. 5 was a false document. Similar objection was raised with respect to the marriage certificate of respondent no. 5. It will be pertinent to mention that according to respondent no. 5, her marriage was solemnized with Sandip Pralhad Pawar on 31.05.2021 and thereafter she started residing with her husband at Parner (Tanda). Prior to that, respondent no. 5 was residing at village Adul, Tq. Paithan, Dist. Aurangabad.

4. The advertisement provides that in case of marriage of a candidate, the candidate must produce marriage certificate issued by Secretary of the concerned Gram Panchayat. The objection of the petitioner is that the respondent no. 5 did not produce marriage certificate along with her application form. As regards the residence certificate, the objection is that the residence certificate has two different numbers, one mentioned in Devnagari and other in English. The residence certificate is at page no. 33 (Exhibit F) of the petition. The certificate number mentioned in English is 5478870202164, whereas the number mentioned in Devnagari is 54788702021264. The following is mentioned at the foot of the residence certificate, which gives an impression that the certificate is issued online.

“सदर दाखल्याची वैधता तपासण्याची असल्यास  
<https://sangram.mahaonline>. या संकेत स्थळावर भेट देऊ शकता।  
 डिजीटाय्ज्ड कालबद्ध + वर्ष २०१७”

5. This gives an indication that the certificate is an online certificate. The respondent no. 5 has stated in her reply affidavit filed before this Court that the residence certificate obtained by her was an online certificate. Perusal of residence certificate at page 33 of the petition indicates that the certificate bears signature in

handwriting of the Secretary of Gram Panchayat, Parner. The rubber stamp of the Gram Panchayat is also affixed. However, the photograph appearing on the residence certificate appears to be captured on computer camera.

6. Vide order dated 30.06.2025, the respondent no. 2 was directed to file affidavit, clarifying its stand on the said residence certificate dated 02.07.2021. One Lalita Bhagwan Bhople, who was working as Secretary of Gram Panchayat, Parner at the relevant time has filed affidavit dated 16.07.2025, stating that she was working with Gram Panchayat, Parner on 02.07.2021. She states that one Ganesh Manikrao Nannaware working with Gram Panchayat as operator had placed a certificate dated 02.07.2021 before her for her signature. She states that she has verified the documents of husband of respondent no. 5 and accordingly has signed the said certificate dated 02.07.2021. Perusal of the affidavit filed by Lalita Bhagwan Bhople will indicate that the computer operator had obtained printout of residence certificate, which is manually signed by her as Secretary of Gram Panchayat, Parner.

7. There is some substance in the contention of the learned counsel for the petitioner that the respondent no. 5 did not file

marriage certificate along with application form which is a condition prescribed in the application form to demonstrate her marriage with Sandip on 31.05.2021. As regards residence certificate, the conclusion is now clear that the residence certificate although printed from computer system cannot be said to be a digitized certificate, because a print out of the said certificate is manually signed by the Secretary of the Gram Panchayat. The Secretary of the Gram Panchayat is standing by the certificate.

8. During the course of inquiry pursuant to objections raised by the petitioner the Block Development Officer has confirmed that respondent no. 5 was a resident of Parner (Tanda). A list of villages issued by Tahsildar, Ambad, indicating all the villages within Tahsil Ambad, which is filed along with reply affidavit of respondent nos. 2 and 3 at page 98 of the petition, indicates that there is village named Parner in the Tahsil. However, there is no village in the Tahsil by name Parner (Tanda). In this context when clause 2(b) of Government Resolution dated 13.08.2014 is perused, it is found that in order to be eligible for being considered for appointment on the post of Anganwadi Sevika, a candidate must be resident of the village in which the Anganwadi

is located. It also needs to be mentioned that in case, where a Gram Panchayat is a Group Gram Panchayat of several villages, the candidate has to be resident of the village and in case she resides within the Gram Panchayat territorial limits but not at the concerned village even then she will not be eligible. It is apparent from record that Parner (Tanda) is not a separate village. The advertisement is for an Anganwadi at village Parner. The documents on record indicate that respondent no. 5 is a resident of Parner (Tanda) after her marriage. The fact that respondent no. 5 is a resident of Parner (Tanda) is expressly admitted in the objection dated 30.07.2021 filed by the petitioner. It will be pertinent to mention that in the residence certificate furnished along with the application form, the place of residence of respondent no. 5 is mentioned as Parner. The objection needs to be viewed in this backdrop that the petitioner disputed that respondent no. 5 was a resident of Parner and in this context expressly stated that she was a resident of Parner (Tanda). Thus, the fact that respondent no. 5 is a resident of village Parner after marriage cannot be disputed.

9. Although there is non-compliance of filing marriage certificate in considered opinion of this Court, that itself need not

to be a ground for interfering with two concurrent orders passed by the authorities, particularly having regard to the fact that the post in question is a post of Anganwadi Sevika. It also needs to be mentioned that the respondent no. 5 has obtained 80 marks as against 79 marks obtained by the petitioner and is, therefore, more meritorious. Having regard to the totality of circumstances, this Court is, not inclined to show any indulgence in the matter.

10. The writ petition is therefore **disposed of**.
11. Pending civil applications, if any, **disposed of**.

[ROHIT W. JOSHI, J.]