AHC010255012025

2026:GAU-AS:17446

# THE GAUHATI HIGH COURT
## (HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

**Case No. : WP(C)/6717/2025**

DODRE BASUMATARY
W/O.- HOGOMA BASUMATARY, VILL.- TILOKGAON, P.O-TILOKGAON, DIT-CHIRANG, BTC, ASSAM, PIN-783372.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE PRINCIPALSECRETARY TO THE GOVT. OFASSAM, DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT, DISPUR, GUWAHATI-6.

2:THE DIRECTOR
WOMEN AND CHILD DEVELOPMENT
ASSAM
GHY-1

3:THE COMMISSIONER AND SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI-6.

4:THE TERRITORIAL BODOLAND COUNCIL
REPRESENTED BY THE PRINCIPAL SECRETARY
KOKRAJHAR- 783370.

5:THE JT. DIRECTOR-CUM-CHD WOMEN AND CHILD DEVELOPMENT
BTC
KOKRAJHAR-783370.

6:THE CHILD DEVELOPMENT PROJECT OFFICER
SIDLI-CHIRANG
ICDS PROJECT
SIDLI
PIN-783393.

7:SUNJU BASUMATARY
W/O- SURWJIT BASUMATARY
V ILL.- TILOKGAON
P.O-TILOKGAON
DIST-CHIRANG
BTC
ASSAM
PIN-783372

**Advocate for the Petitioner** : MR. A BORO, MR H P GUWALA

**Advocate for the Respondent** : GA, ASSAM, FOR CAVEATOR,MR. K ALOM,MD. A HUSSAIN,SC, FINANCE,SC, BTC

**BEFORE**
**HONOURABLE MR. JUSTICE NELSON SAILO**

**ORDER**

**Date : 25.11.2026**

Heard Mr. A. Boro, learned counsel for the petitioner and Mr. A. Chakraborty, learned Government Advocate, Assam for the respondent No. 1 & 2; Ms. B. Borah, learned counsel for the respondent No. 4, 5 & 6 and Mr. A. Hussain, learned counsel for the respondent No. 7.

**[2.]** The controversy involved in the present writ petition is with regard to the selection and appointment to the post of Anganwadi Worker in Tilokgaon Anganwadi Centre 615(ST).

**[3.]** The petitioner contends that he being a candidate from the Centre Area and having scored higher marks than the respondent No. 7 in the Higher Secondary Examination, she ought to have been selected and appointed to the said post. In this connection reliance has been placed on the criteria set out in the Notification dated 23.09.2021 issued by the Department of Social Welfare in

the Bodoland Territorial Council (BTC), wherein, it is provided that selection would be made strictly on the basis of marks obtained in the Higher Secondary Examination.

**[4.]** The contention of the respondent No. 7, on the other hand, is that she has been given better grading by the Selection Board constituted for the purpose and she being a resident of the Centre Area, she has been given appointment to the post. The respondent No. 7 contends that the petitioner, on the other hand, does not belong to the Centre Area and, therefore, she has not been given the appointment. In this connection, the respondent No. 7 has placed reliance upon the same Notification dated 23.09.2021 at Clause - (vi) of Paragraph No. 1 with the heading "Eligibility Criteria".

**[5.]** Both the rival parties, in respect of their contentions as regards being the inhabitant of Tilokgaon have displayed certificates either issued by the Gaonburah of Tilokgaon Revenue Village or certificate issued by the Chairman of Tilokgaon Village Council Development Committee or both. Insofar as the marks quoted by the respondent No. 7, it is admitted by the said respondent that she had secured 194, which in comparison to the marks quoted by the petitioner which is 199 marks lesser. Insofar as the question of being a resident of Centre Area is concerned, having regard to the rival claims made by the parties, it would not be possible for this Court to arrived at a decision and, therefore, this Court is of the considered view that the same may be left for the Competent Authority to make a verification and to pass an appropriate order.

**[6.]** Accordingly, the writ petition is disposed of by directing the Joint Director-cum-Council Head of Department, Woman and Child Development, Bodoland Territorial Council, Kokrajhar to make necessary verification as regards the place

of residence of the petitioner and the private respondent No. 7 and, thereafter, to pass a Speaking Order expeditiously.

**[7.]** Accordingly, the respondent No. 5 shall make necessary verification within a period of six (6) weeks from the date of receipt of a certified copy of this Order and then pass a Speaking Order. Liberty is also granted to the petitioner as well as to the respondent No. 7 to submit documents to show proof of their residence in the Centre Area, if so advised. The same should, however, be submitted to the respondent No. 5 within a period of two (2) weeks from today.

**[8.]** It is finally provided herein that if the petitioner is found to be a resident of the Centre Area concerned, then in such event, having regard to the marks secured by her in Higher Secondary Examination, she would have preference over the respondent No. 7 and the respondent No. 5 shall accordingly issue an appropriate order to appoint the petitioner instead of the respondent No. 7.

**JUDGE**

**Comparing Assistant**