
(2020) 07 JH CK 0080
In the Jharkhand High Court
Case No : Writ Petition(S) No.73 of 2019

Anjani Kumari

APPELLANT

Vs

State of Jharkhand And Ors

RESPONDENT

Date of Decision : 02-07-2020

Acts Referred:

Constitution of India, 1950 — Section 226

Citation : (2020) 07 JH CK 0080

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Bandana Sinha, Darshana Poddar

Final Decision : Disposed Of

Judgement

Heard Ms. Bandana Sinha, the learned counsel appearing for the petitioner and Ms. Darshana Poddar Mishra, A.A.G-I appearing on behalf of the respondent-State.

This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.

The petitioner has preferred this writ petition for a direction to give approval of the name of petitioner for the post of Atirikt Anganwari Sewika saha Poshan Paramarshi for the Anganwari Centre Katra, District-Godda.

The learned counsel for the petitioner submits that the petitioner is entitled for the said post as she is having minimum qualification for the post. She submits that in view of the guidelines, the petitioner is also a permanent resident

of that village. She submits that in the proceeding of the Gram Sabha held on 27.10.2016 the name of the respondent no.7 has not been considered due to objection by the villagers as the respondent no.7 is not a permanent resident of the said village and the petitioner has got the highest marks in that proceeding. She submits that in an enquiry the residential certificate of the respondent no.7 was cancelled which has been received in view of representation. She submits that the petitioner has made representation before the respondent no.2 by way of Annexure-5 but no decision has been taken on the representation as yet.

Ms. Darshana Poddar Mishra, the learned AAG-I for the respondent State submits that this Court may not interfere in the matter under Article 226 of the Constitution of India as the post of Anganwari Sewika is not a civil post. She further submits that the selection is of the year 2016 and now the petitioner has moved before this Court and in that view of the matter the writ petition is fit to be dismissed.

The Court has perused the Annexure-5 which is a representation dated 28.08.2017 before the respondent no.2 -Deputy Commissioner, Godda. In that view of the matter, without passing any positive order, the respondent no.2 is directed to consider the representation of the petitioner and pass an appropriate reasoned order within a period of eight weeks from the date of receipt/production of a copy of this order.

With the aforesaid observation and direction the instant writ petition [W.P.(S) No.73 of 2019] stands disposed of.

I.A. if any also stands disposed of.