

---

**(2011) 07 JH CK 0165**

**In the Jharkhand High Court**

**Case No : Writ Petition (S) No. 2385 of 2011**

Anupama Hembram

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

---

**Date of Decision : 08-07-2011**

**Acts Referred:**

**Citation : (2011) 07 JH CK 0165**

**Hon'ble Judges : Narendra Nath Tiwari, J**

**Bench : Single Bench**

---

## **Judgement**

Narendra Nath Tiwari, J.—The grievance of the Petitioner is that though she is eligible and entitled to be appointed as Anganbari Sevika of Centre Nayadih, P.S. Masalia, District Dumka, she has been ignored and Respondent No. 7, who does not fulfill the required criteria, has been appointed as Anganbari Sevika for the said Centre.

2. It has been stated that the Petitioner is matriculate and she is a member of Scheduled Tribes. The majority beneficiaries are the members of the Scheduled Tribes. According to the policy decision and the guideline, Anganbari Sevika has to be appointed out of the members of the caste which has majority of beneficiary. The Petitioner, being the member of Scheduled Tribes and the majority beneficiaries are of her caste and is a resident, nearest to the centre. She is the most suitable candidate for appointment. Ignoring the same, the Respondent No. 7, who is not a member of Scheduled Tribes, has been arbitrarily appointed as Anganbari Sevika. The Petitioner objected to the said appointment by filing a representation before the Deputy Development Commissioner, Dumka and the Deputy Commissioner, Dumka, but no order has been passed.

3. Learned J.C. to G.P.II appearing on behalf of the Respondents submitted that the Deputy Development Commissioner, Dumka is the competent authority to look into the Petitioner's grievance and pass appropriate order and if any representation is still pending or if the Petitioner files a fresh representation, the same shall be considered and appropriate decision shall be taken by the said

authorities.

4. Considering the above, this writ petition is disposed of, giving liberty to the Petitioner to file a fresh representation, along with a copy of this order, before the Deputy Development Commissioner, Dumka Respondent No. 5. On receipt of the representation, the said Respondent shall consider the same and pass appropriate order, in accordance with law, within two months from the date of receipt of the representation.