

(2025) 12 CHH CK 1680
In the Chhattisgarh High Court
Case No : WPS No. 2734 Of 2023

Devshri

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

Date of Decision : 01-12-2025

Acts Referred:

Citation : (2025) 12 CHH CK 1680

Hon'ble Judges : Amitendra Kishore Prasad, J

Bench : Single Bench

Advocate : Shubham Tiwari, A. N. Pandey, Rahul Tamaskar

Final Decision : Dismissed

Judgement

Amitendra Kishore Prasad, J

1. The petitioner has filed this writ petition seeking following reliefs:-

10.1. That, this Hon'ble Court may kindly be pleased to set aside of the impugned 22.7.2022 ANNEXURE P/1 issued by the respondent no.2

10.2. That, this Hon'ble Court may kindly be pleased to set aside of impugned order dated 23.9.2022 ANNEXURE P/2 passed by the respondent no.4 in respect of appointment of the respondent no.5 on the post of Anganwari Sahayika Center Jirhulpara, Janpad Panchayat- Kushami, Distt-Balrampur- Ramanujganj -(C.G).

10.3. That, this Hon'ble Court may kindly be pleased to set aside of order dated 25.1.2023 ANNEXURE P/8 passed by the respondent no.2.

10.4. Any other relief or reliefs may also be granted to the petitioner which this Hon'ble court deems fit and proper in the facts and circumstances of the case.

2. Learned counsel appearing for the petitioner would submit that the petitioner was appointed to the post of Aanganwadi Worker/Sahayika vide order dated 31.05.2022 at Aanganwadi Centre Tetartoli, Gram Panchayat-Bhulsikala, Janpad Panchayat Kushami, District-Balrampur-Ramanujganj (C.G.). He would further

submit that complaints were made before the Collector and the Collector vide order dated 22.07.2022 cancelled the recruitment process including appointment orders issued in favour of 10 Anganwadi Workers, 5 mini Anganwadi Workers and 20 Anganwadi Sahayika. The Collector also directed the Recruitment Agency to complete the recruitment process within a period of 15 days. Mr. Pandey would also submit that without affording any opportunity of hearing and without issuance of any notice, the appointment of the petitioner was cancelled and respondent No.5 was appointed on the post of Anganwadi Worker/Sahayika vide order dated 23.09.2022. He would contend that as the petitioner was appointed pursuant to the Constitutional mandate, therefore, the authority concerned ought to have provided an opportunity of hearing.

3. On the other hand, the learned counsel appearing for the respective respondent would oppose the submissions made by learned counsel appearing on behalf of the petitioner. He would submit that there are serious complaints with regard to the recruitment process adopted by the authorities therefore, the Collector vide order dated 22.07.2022 took a decision to cancel all appointments. They would further contend that thereafter, the Recruitment Agency invited objections and it was found that respondent No.5 was meritorious to the petitioner, therefore, the appointment order was issued in favour of respondent No.5. They would also submit that there is no irregularity or illegality in the appointment order issued in favour of respondent No.5. It is contended that pursuant to the order passed by the Collector, objections were decided by the Committee. It is contended that the present petition deserves to be dismissed.

4. I have heard learned counsel appearing for the parties and perused the documents placed on the record.

5. Admittedly, pursuant to the advertisement, the petitioner applied for the post of Anganwadi Worker and she was selected. An appointment order was issued in her favour on 31.05.2022. It appears that complaints were made before the Collector and the authority vide order dated 22.07.2022 cancelled all appointments. A direction was issued to the Recruitment Agency to invite objection and take appropriate steps. The Recruitment Agency considered objections and found that respondent No.5 was meritorious to the petitioner and therefore, an appointment order was issued in her favour.

6. Admittedly, no opportunity of hearing was afforded to the petitioner, therefore, the appointment order issued in favour of respondent No.5 is hereby quashed. The respondent authorities are directed to provide an opportunity of hearing to the petitioner and take an appropriate decision afresh within a period of 60 days from today.

7. It is made clear that this Court has not expressed any opinion on the merits of the case.