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(2022) 07 OHC CK 0020

In the Orissa High Court

Case No : Writ Appeal No. 399 Of 2012

Narmada Deng — APPELLANT

Vs

Child Development Project Officer, Nayagarh And Others — RESPONDENT

Date of Decision : 06-07-2022

Acts Referred:

Citation : (2022) 07 OHC CK 0020

Hon'ble Judges : Dr. S. Muralidhar, CJ;R. K. Pattanaik, J

Bench : Division Bench

Advocate : Bishal Baivab, I. Mahanty

Final Decision : Dismissed

Judgement

1. The Appellant assails the order dated 27th July, 2012 passed by the learned Single Judge dismissing the W.P.(C) No.5088 of 2012 filed by the Appellant.

2. The aforesaid writ petition had been filed questioning the decision of the Additional District Magistrate (ADM), Nayagarh to issue a fresh advertisement for selection of the Anganwadi Worker of Ramapada Anganwadi Centre.

3. The Appellant and Opposite Party No.3 were the two applicants for the said post. The Selection Committee had selected Opposite Party No.3 on production of a residential certificate issued on 23rd November, 2009. Although the advertisement did not contain a stipulation that such certificate should be issued within six months of its production before the authorities, the ADM nevertheless decided go in for a fresh selection.

4. The grievance of the present Appellant is that she was the next eligible candidate and should have been selected for the post. It was noted by learned Single Judge that the marks obtained in matriculation by the Appellant was not higher than that obtained by Opposite Party No.3 and, therefore, she did not have a right to be selected. Nevertheless, learned Single Judge permitted the Appellant to participate in the fresh selection.

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5. This Court is unable to find any error having been committed by the learned Single Judge in dismissing the writ petition filed by the Appellant. Accordingly, the appeal is dismissed.

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