

(2018) 02 GAU CK 0063
In the Gauhati High Court
Case No : 294 of 2010

SMTI MANZUWARA BEGUM

APPELLANT

Vs

THE STATE OF ASSAM AND ORS

RESPONDENT

Date of Decision : 20-02-2018

Acts Referred:

Citation : (2018) 02 GAU CK 0063

Hon'ble Judges : L.S. Jamir

Bench : Single Bench

Advocate : K.L.R. Yanthan, S.C. Biswas, M. R. Adhikari, R K JAIN

Final Decision : Disposed

Judgement

1. Heard Ms. K.L.R. Yanthan, learned counsel appearing on behalf of Mr. S.C. Biswas, learned counsel for the petitioner. Also heard Mr. M. R.

Adhikari, learned Additional Senior Government Advocate appearing for the respondents.

2. Pursuant to an advertisement dated 10-09-2009 calling for invitation from eligible candidates for the post of Anganwadi Worker and Helper

under No. 16 Dakhin Borbheti Bamunir Tika Anganwadi Centre, the petitioner applied for the post of Anganwadi Helper. Thereafter, the

petitioner appeared before the interview board. The respondents thereafter, selected the respondent No. 6 as Anganwadi Helper in No. 16

Dakhin Borbheti Bamunir Tika Anganwadi Centre in Khagarijan ICDS Project. Being aggrieved with the selection of the respondent No. 6, the

present writ petition has been filed on the ground that the respondent No. 6 is not a local person and does not reside within the jurisdiction of the

said Anganwadi Centre.

3. The respondent No. 3 has filed affidavit-in-opposition wherein, it is stated that the respondent No. 6 has been selected as Anganwadi Helper on

merit basis and she has been found to be most eligible candidate and a local candidate as per the resident certificate submitted by her.

4. Considering the allegations and the counter-allegations in the present writ petition, this Court is of the considered opinion that it would be in the

interest of justice, if the respondent No. 2 i.e the Director, Social Welfare Department takes a final call in the matter.

5. Accordingly, this writ petition is disposed of with a direction to the respondent No. 2 to consider the claims and counter-claims of the petitioner

as well as the respondent No. 6 by hearing them in person and also by giving an opportunity to both the parties to produce relevant documents, if

they so desires. Thereafter, the respondent No. 2 shall pass a speaking order within a period of 2 (two) months from today. The petitioner is

directed to furnish a certified true copy of this Court's order to the respondent No. 2 within a period of two weeks from today. With the above

observations and directions, this writ petition is disposed of.