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**THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA
MIZORAM AND ARUNACHAL PRADESH)
ITANAGAR PERMANENT BENCH
NAHARLAGUN**

Appeal from
Writ Petition (Civil)

W.P. No...378 (AP) 2010

Smti Pensam Pada

-Versus-

State of AP & 2018

Appellant
Petitioner

Respondent
Opposite Party

Counsel for the Appellant
Petitioner

N. Pada

T. Tabing

Counsel for the Respondent
Opposite Party

C.A (AP)

Noting by Officer or Advocate	Serial No.	Date	Office,note,reports,orders or Proceeding with signature
(1)	(2)	(3)	(4)

Upper Siang District
Arunachal Pradesh

... Petitioner

- VERSUS -

1. The state of Arunachal Pradesh represented by the Secretary, Social Welfare, Govt. of Arunachal Pradesh, Itanagar.
2. The Director of Social Welfare, Women & Child Dev. Deptt., Govt. of Arunachal Pradesh, Itanagar.
3. The CDPO, Geku ICDS Project, Geku, Upper Siang District, Pasighat, Arunachal Pradesh.

... Respondents

IN THE MATTER OF:

Smti Pensam Pada (Yao)

W/o Shri T. Yao

R/o Geku Town

PO/PS Geku

BEFORE
THE HON'BLE MR. JUSTICE HRISHIKESH ROY

21-01-2011

The petitioner who was appointed as an Anganwadi Worker on 2.8.2010 has moved the Court to challenge the office order dated 9.8.2010 (Annexure-I) of the CDPO, Geku ICDS Project whereby her appointment has been cancelled on the ground that she is not a local resident of the *Jommo-Kopak Panchayat* Area in which the PWD Colony Anganwadi Center is located. It is indicated in the order that the petitioner's name was inadvertently included due to oversight of her actual *Panchayat Constituency/Segment*.

2. Mr. N Lowang, learned Addl. Senior Govt. Advocate submits that unless a person is a resident within the jurisdictional area of the Anganwadi Center, she has no right to be appointed and accordingly the impugned order was rightly recorded. However it is pointed out by Mr. N Pada, learned counsel for the petitioner that the petitioner is a local resident by marriage and no opportunity was afforded to her, before her appointment was cancelled. Considering the factual controversy raised by the petitioner, I am of the view that this issue needs to be reconsidered by a higher authority.

3. Accordingly the petitioner is permitted to file a representation before the Director of Social Welfare, Women and Child Development Department (Respondent No.2) and the said authority is directed to consider the petitioner's grievances against the impugned office order dated 9.8.2010. An appropriate opportunity may also be afforded to the petitioner by the Director. Mr. Pada, learned counsel submits that the requisite representation will be filed within 2 weeks from today. Accordingly the same is ordered to be disposed of expeditiously and preferably within 6 weeks thereafter.

4. The case is disposed of with the above order.


JUDGE

Barman

DA.
Pl-communicate order.
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