



2026:CGHC:3655



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4234 of 2019

1 - Smt. Komal Patle W/o Mukesh Patle Aged About 24 Years Posted As Anganwadi Kayarkarta Anganwadi Center Kevtara-1, R/o Village Kevtara, Tahsil Masturi, Police Station Pachpedi, District Bilaspur Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Mahila Avan Bal Vikas Deaprtment New Mantralaya, Mantralaya, Mahanadi Bhawan, Raipur Chhattisgarh., District : Raipur, Chhattisgarh

2 - Pariyojana Adhakari Akikrat Bal Vikas Masturi, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

3 - Chief Executive Officer Janpad Panchayat Masturi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

4 - Smt. Amrita Patale W/o Kapurchand R/o Village Kevtara, Tahsil Masturi, Police Station Pachpedi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Shri Rajesh Jain, Advocate.
For Respondent/ State	:	Shri Amit Buxy, Deputy GA.
For Respondent No.4	:	Shri BL Sahu, Advocate.

Hon'ble Shri Sanjay K. Agrawal, J

Order On Board

21/01/2026



1. The petitioner has filed the present Writ Petition calling in question the legality, validity and correctness of the order dated 29.4.2019 by which the Additional Commissioner has interfered with the order passed by the Collector, Bilaspur and set aside the appointment of the petitioner on the post of Angan Badi Karyakarta.
2. The petitioner as well as respondent No.4 and other persons had applied for the post of Angan Badi Karyakarta at Angan Badi Center Kevtara-1, Village Kevtara, Tehsil Masturi, District Bilaspur. In the provisional selection list, the petitioner was not awarded 6 marks towards 'Below Poverty Line' category. Thereafter the objections were invited on 9/10.1.2017 in which the petitioner claimed six marks for Below Poverty Line candidate. Consequently, the final selection list (Annexure-P/7) was issued in which the petitioner stood at Sr. No.1, as she secured 55.84 marks whereas respondent No.4 stood at Sr. No.4, as she secured 53.08 marks. After the petitioner, one Godma Patle stood at Sr. No.2 having secured 54.16 marks and Chitrarekha Patle stood at Sr. No.3 having secured 53.20 marks. The Appeal preferred by Amrita Patle (respondent No.4 herein) was dismissed by the Collector finding no merit, against which she preferred a Revision before the Additional Commissioner, Bilaspur Division, which was allowed holding that the petitioner has not filled the column regarding 'Below Poverty Line' (for short 'BPL') category, ignoring the fact that subsequent column was filled for BPL certificate while responding to objections invited by competent authority and 6 marks were awarded in the final selection list, against which the present Writ Petition has been preferred.



3. Shri Rajesh Jain, learned counsel for the petitioner would submit that the Additional Commissioner was absolutely not justified in reversing the well reasoned order passed by the Collector.
4. Per contra, learned State Counsel and learned counsel for respondent No.4 would support the impugned order.
5. I have heard learned counsel for the parties at length and perused the documents annexed with the Writ Petition carefully.
6. Though initially the petitioner did not fill the relevant column regarding BPL category and, therefore, in the first selection list the petitioner was not awarded 6 marks. Thereafter the petitioner made a representation along with BPL card on 9.10.2017 responding to the objections invited by competent authority and consequently, 6 marks were awarded. Thereafter final selection list (Annexure-P/7) was issued in which the petitioner stood at Sr. No.1 having secured 55.84 marks whereas respondent No.4 stood at Sr. No.4 having secured 53.08 marks. As such the Collector had rightly dismissed the Appeal holding that as regards the objection, necessary document like BPL certificate has been duly filled by the petitioner which the Additional Commissioner has wrongly interfered ignoring the fact that the BPL certificate was filled by the petitioner vide Annexure-P/7 in which the petitioner stood at Sr. No.1 whereas respondent No.4 stood at Sr. No.4, though initially the said information was not filled up, however, it was filled up after the objections were invited by the competent authority. As such, the Additional Commissioner has legally erred in interfering with the order



of Collector without appreciating the dispute involved in the Revision and thereby the order of Commissioner/competent authority is liable to be set aside.

7. In that view of the matter, the order passed by the Additional Commissioner dated 29.4.2019 deserves to be and is hereby set aside and the order passed by the Collector is affirmed. Consequently, the petitioner will be entitled for reinstatement on the post of Angan Badi Karyakarta, however, the petitioner will not be entitled for back wages, as respondent No.4 has worked on the said post by the order of Commissioner.
8. Accordingly, it is directed that the petitioner be reinstated in service in place of respondent No.4 forthwith.
9. With the direction aforesaid, the Writ Petition is disposed of. No costs.

Sd/-
(Sanjay K. Agrawal)
Judge