



2026:CGHC:28829



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4112 of 2023

Anita Gupta W/o Ambika Prasad Gupta Aged About 32 Years R/o Ward No. 9
Nagar Panchayat Kusmi, Tahsil Kusmi, Kusmi Bus Stand, Distt. Balrampur-
Ramanujganj Chhattisgarh

... Petitioner.

Versus

- 1 - State Of Chhattisgarh Through- Secretary, Department Of Women And
Child Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt-
Raipur Chhattisgarh
- 2 - Director, Directorate Of Women And Child Development Indrawati
Bhawan, Naya Raipur, Distt. Raipur Chhattisgarh
- 3 - Collector, Distt- Balrampur- Ramanujganj Chhattisgarh
- 4 - District Project Officer, Women And Child Development Distt. Balrampur-
Ramanujganj Chhattisgarh
- 5 - Project Officer, Integrated Child Development Scheme, Women And Child
Development, Kusmi, District Balrampur-Ramanujganj Chhattisgarh
- 6 - Chief Municipal Officer, Nagar Panchayat Kusmi, District Balrampur-
Ramanujganj Chhattisgarh
- 7 - Kumari Tashin D/o Late Jabihallah, R/o Ward No.9, Nagar Panchayat
Kusmi, Tahsil Kusmi, Distt. Balrampur-Ramanujganj Chhattisgarh

... Respondents.

(cause title downloaded from CIS Periphery)

For Petitioner	:	Mr. Kishore Narayan, Advocate.
For Res No.1 to 5	:	Ms. Vartika Shrivastava, PL.
For Res No.6	:	Mr. Siddhant Das, Advocate
For Res No.7	:	Ms. Soniya Kuldeep, Advocate.



(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

10/07/2026

1. This Writ Petition under Article 226 of the Constitution of India has been filed for the followings reliefs:-

"10.1 That, the Hon'ble Court may kindly be pleased to issue a writ of mandamus setting aside appointment order dated 16.06.2023 (Annexure P/9), in the interest of justice.

10.2 That, the Hon'ble Court may kindly be pleased to issue a writ of mandamus directing the respondents to appoint the petitioner in the post of aanganwadi worker for posting at aanganwadi center at ward no. 9, Nagar Panchayat Kusiand further direct to grant all consequential benefits to the petitioner, in the interest of justice.

10.3 Any other relief which this Hon'ble Court may deem and proper in the present circumstances of the case."

2. The main ground of challenge appears to be that the petitioner acquired higher marks than respondent No. 7, yet he was deprived of the appointment for invalid reasons.
3. At the outset, learned counsel for the respondents submits that the impugned order dated 16.06.2023 (Annexure-P/9) is appealable before the concerned Appellate Authority/Sub Divisional Officer (Revenue) as per Clause 11(b) of the Instructions (Annexure-P/10) issued by the Women and Child



Development Department, Government of Chhattisgarh on 02.04.2008.

Hence, in view of this alternative remedy, the petition is not maintainable.

4. Considering the submissions made by learned counsel for the respondents and the Instructions dated 02.04.2008 issued by the State, this Court is of the view that an efficacious alternative remedy is available to the petitioner under Clause 11 of the aforementioned Instructions. Hence, this Court is not inclined to entertain this petition at this stage.
5. Accordingly, the petition is disposed of, granting liberty to the petitioner to prefer an appeal before the concerned Appellate Authority in accordance with Clause 11 of the aforementioned Instructions/Guidelines within a period of 30 days from today. It is further observed that in the event such an appeal is filed by the petitioner, the concerned Authority shall decide the same expeditiously, preferably within a period of 45 days from the date of filing in accordance law.
6. It is also observed that since this writ petition has been pending before this Court since 04.07.2023, the concerned Appellate Authority shall not insist upon the delay in filing of appeal.
7. Pending application, if any, stands disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Ajay