

GAHC010210262025



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5568/2025

MARUFA BEGUM AND ANR
W/O SHA KAMAL, R/O VILL- BURUNGATOLI, P.O.- BURUNGATOLI BAZAR,
P.S.- MURJHAR, DIST- HOJAI, ASSAM, PIN-782439

2: NAZRANA BEGUM
W/O NAZMUL ISLAM
R/O VILL- CHARING PATHAR
P.O.- CHARING
P.S.- MURAJHAR
DIST- HOJAI
ASSAM
PIN-78243

VERSUS

THE STATE OF ASSAM AND 3 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM,
WOMEN AND CHILD DEVELOPMENT DEPARTMENT, DISPUR, GUWAHATI-
06

2:THE DIRECTOR OF WOMEN AND CHILD ASSAM
UJAN BAZAR
GUWAHATI-01

3:THE DISTRICT SOCIAL WELFARE OFFICER
HOJAI
DIST- HOJAI
ASSAM
PIN-782435

4:THE CHILD DEVELOPMENT PROJECT OFFCIER
LANKA ICDS PROJECT
LANKA
DIST- HOJAI

ASSAM
PIN-78244

Advocate for the Petitioner : MR. R ALI, MR M Z SHAH

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

27.02.2026

Heard Mr. MZ Shah, learned counsel for the petitioner. Also heard Mr. CKS Baruah, learned State Counsel, Assam for the respondents.

2] The petitioners claim to be permanent residents of Burungatoli Anganwadi Centre and Dighirpar Anganwadi Centre, respectively, under the Child Development Project Officer, Lanka, in the District of Hojai. In pursuance to the advertisement dated 27-05-2025 issued by the CDPO of Lanka ICDS Project, Lanka, Hojai, for filling up of as many as 38 numbers of vacant posts of Anganwadi Workers in different Anganwadi Centres under Lanka ICDS Project. The petitioner no. 1 applied for the post of Anganwadi worker in Burungatoli Anganwadi Centre and the petitioner no. 2 applied for the post of Anganwadi Worker in Dighirpar Anganwadi Centre. However, the petitioners were dismayed due to the inclusion of their name in the reject list published by the Department on the ground that the petitioners are from the outside the survey areas of the

respective Anganwadi Centres.

3] The Respondent Authority has published a valid select list for interview on 13-08-2025 and the interview was also held on 22-08-2025. However, no final select list has been published till date as submitted by the petitioners. It is the case projected before this Court that they are permanent residents within the survey area and therefore, the rejection of their candidature on the ground of being outside the survey area is contrary to law and procedure. They filed representations on 19-08-2025 before the Director, Women and Child Development Department, Guwahati but no response is forthcoming from the respondents. Being aggrieved, the present writ petition has been filed.

4] The notice in the matter was issued on 21-01-2026 wherein the Court directed the respondents to file their affidavit as to the basis on which the respondents came to an opinion that the petitioners do not belong to the survey area. Subsequently, the matter was listed on 11-02-2026, on which date further time was granted to comply with the directions given in Para-6 of the order dated 21-01-2026.

5] When the matter is listed today, Mr. C. K. S. Baruah, learned State Counsel, Assam, submits that he has received the instructions but would require further time to bring it on record by way of an affidavit. He submits that both

the survey registers are available and on the basis of the survey registers, the claim of the petitioners have been rejected as their names are excluded from the survey areas.

6] Considering the fact that this matter would require examination on factual issues and also considering the fact that the representations have been filed before the Director, Women and Child Development Department, Guwahati on 19-08-2025 by the petitioners, this court is of the considered view that the matter will have to be enquired into by the Director, Women and Child Development Department, who is the respondent no.2.

7] Accordingly, the respondent No. 2 will examine the grievances of the petitioners and pass necessary orders as to the manner and the basis on which the survey was conducted and which reflected that the petitioner no. 1 and petitioner no.2, do not belong to the survey area of the concerned Anganwadi Centres. Upon due enquiry, the Director, Women and Child Development Department will pass speaking orders. Needless to say, any such orders that are passed, copies thereof shall be served to the petitioners. This exercise will be carried out within a period of 30 (thirty) days from the date of receipt of the certified copy of this order. In the event, the respondent no.2 upon examining the entire matter, finds that the claims of the petitioners are to be genuine, then

consequential orders have to be passed requiring the Department to process their appointments as Anganwadi Workers.

8] With the above observation, the writ petition stands disposed of.

JUDGE

Comparing Assistant