

WP(C) 3879/2010

BEFORE

THE HON'BLE MR. JUSTICE IA ANSARI

Heard Mr. A Ali, learned counsel for the petitioner, and Ms. P Chakraborty, learned Standing Counsel, Social Welfare Department, Assam.

The grievance of the petitioner is, in brief, thus: The petitioner was an applicant for appointment to the post of Anganwadi Worker at Pub Podughat Dakkhin Chuba Anganwadi Centre No. 32, under CDPO, Kalaigaon, ICDS Project. The petitioner claims that the private respondent, i.e., respondent No. 4, namely, Halim a Begum, who has been selected as Anganwadi Worker, does not possess the required qualification for selection to the said post.

As the dispute, raised by the petitioner, is substantially factual in nature, this Court is of the view that in the facts and circumstances of the present case, respondent No. 2, namely, Director of Social Welfare, Government of Assam, shall look into the grievances of the petitioner and make enquiry in this regard and, in accordance with the findings of the inquiry, pass appropriate order(s). Whatever decision is reached, in this regard, by the respondent No. 2 or whatever order is, ultimately, passed by the respondent No. 2, on the petitioner's grievances, shall be communicated, in writing, to the petitioner and if the petitioner feels aggrieved by the decision(s), which may be reached, or the order(s), which may be passed by the respondent No.2, the petitioner shall remain at liberty to take recourse to such provisions of law as may be permissible.

The whole exercise, so directed, shall be completed within a period of two months from the date of receipt of a copy of this order by the respondent No. 2, namely, Director of Social Welfare, Government of Assam. The petitioner may furnish to the respondent No. 2 a certified copy of this order along with a copy of the writ petition and annexure thereto.

Furnish a copy of this order to the learned Standing Counsel, Social Welfare Department.