

Court No. - 20

Case :- WRIT - A No. - 7021 of 2023

Petitioner :- Aaradhana

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Medical Health And Family Welfare Lko. And 6 Others

Counsel for Petitioner :- Prashant Vikram Singh, Akshaya Pratap Singh

Counsel for Respondent :- C.S.C., Mohan Singh, Puneet Chandra

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioner, State Counsel for opposite parties 1,3,4,5 and 6, Mr. Mohit Chandra learned counsel holding brief on behalf of Mr. Puneet Chandra learned counsel for opposite party No.2 and Mr. Mohan Singh learned counsel for opposite party No.7

2. Petition has been filed challenging order dated 3rd August, 2023 whereby petitioner's representation for being sent on training for consequent appointment on the post of Asha Worker has been rejected.

3. It has been submitted that a perusal of impugned order will make it evident that petitioner's representation has been rejected primarily on the ground that there were certain complaints to the effect that petitioner was elected member of the gram panchayat of ward No.6 as well as the fact that recommendation for appointment on the post of Asha Worker was made in favour of one Smt. Reeta wife of Ajay Kumar and not the petitioner. It has been submitted that consequently the inquiry has been concluded finding the allegations levelled against petitioner to be untrue.

4. Learned State Counsel has on the basis of counter affidavit submitted that in paragraph 2 of the counter affidavit, it has been stated that after examination of records, it was found that proposal of gaon sabha was only in favour of petitioner and not the aforesaid Smt. Reeta. It has been stated that petitioner could not be sent for training only on account of the fact that there was inquiry pending with respect to allegations levelled. It is also submitted that in paragraph 5, it has been stated that since proposal/recommendation of the gaon sabha was made in favour of petitioner and it is necessary to have at least 30 participants for training session, whenever Asha workers are trained for training in district, petitioner would also be trained. Subsequently learned State Counsel has been provided written instructions dated 1st November, 2023 by the Chief Medical officer, Ayodhya to the effect that since training has already

concluded for the post of Asha Worker, petitioner would be included any such subsequent training in district.

5. In view of specific stand taken by the opposite parties regarding right of petitioner to be included for training for the post of Asha Worker, the impugned order dated 3rd August, 2023 is hereby quashed by issuance of writ in the nature of Certiorari with a further direction to opposite parties to include petitioner for training on the post of Asha Worker as and when the same is held in the district in terms of their own stand. Endeavour shall be made by opposite parties to include petitioner in such training within a period of next two months from the date a certified copy of this order is produced before the concerned authority.

6. Resultantly the petition succeeds and is allowed. Parties to bear their own cost.

Order Date :- 2.11.2023

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