

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

SWP No. 1553/2015

Date of pronouncement: 24.11.2025

Date of uploading: 26.11.2025

1. Sunita Devi
W/o Sh. Karnail Singh
R/o Sagote, Block Budhal
Tehsil and District Rajouri

.....Appellant(s)/Petitioner(s)

2. Haleema Begum
W/o Sh. Abdul Rauf
R/o Village Rajnagar, Tehsil Budhal
and District Rajouri

3. Sadaf Kouser
W/o Sh. Gulzar Ahmed
R/o Village Rajnagar,
Tehsil Budhal and District Rajouri.

Through: Ms. Jyoti Sharma, Advocate

vs

1. State of J&K th. Commissioner/Secretary
to Govt, Social Welfare Department, J&K
Govt, Civil Secretariat, Srinagar
2. Director, Social Welfare Deptt. Jammu.
3. Mission Director State Mission
Directorate, ICDS, J&K, Hajj House, 3rd
Floor, Rail Head, Jammu.
4. Deputy Director ICDS, Jammu.
5. District Programme Officer, ICDS
Projects, District Rajouri.
6. Child Development Project Officer, ICDS
Project, Budhal.

..... Respondent(s)

Through: Mr. Ravinder Gupta, AAG

CORAM: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE
ORDER (ORAL)

1. Upon coming up of the instant petition for consideration, learned counsel for the petitioners would submit that the controversy involved in the instant petition stands settled by the Division Bench in similar

cases with lead case being LPA No. 140/2021 titled as “*Union Territory of J&K through Commissioner Secy. To Govt. Social Welfare Department & Ors. Vs Shama Begum & Ors.*” upholding the common judgment dated 23.05.2018 passed in favour of the petitioners therein impugned in the said LPAs, wherein the controversy involved pertained to the termination of Anganwari Workers/Helpers ordered by Mission Director ICDS, J&K vide order dated 22.04.2015 after the said Anganwari Workers/Helpers have had been engaged in various Anganwari Centres of Jammu Division on different dates alleging that the engagements of the said Anganwari Workers/Helpers have had been made de hors the rules, therefore, being bad in law.

2. The petitioners herein also claim to be similarly situated with the petitioners therein the aforesaid cases and state to have been engaged as Anganwari Worker/Anganwari Helper in various Anganwari Centres of District Rajouri being petitioner 1 engaged as Anganwadi Worker in the Anganwadi Centre Sagote, Mohre Kote, Ward No. 2, Budhal in terms of order dated 30.08.2011; petitioner 2 engaged as Anganwadi Helper in the Anganwadi Centre Rajnagar (Budhal) in terms of order dated 14.12.2006 and petitioner 3 engaged initially as Anganwadi Helper in Anganwadi Centre Lower Town, Ward No. 6 (Budhal) in terms of order dated 01.08.2009 and by virtue of order dated 03.11.2012, transferred and posted as Anganwari Worker in

Anganwari Centre in Rajnagar Proper, Budhal and that after working for a considerable period of time, they were sought to be disengaged pursuant to the order of the Mission Director ICDS, J&K- Respondent No. 3 herein bearing No. 13-SMD of 2015 dated 22.04.2015 [for short '**the impugned order**']], which could not have been done in law.

3. Objections to the instant petition have been filed by the respondents, wherein it is being, *inter alia*, stated that the petitioners came to be engaged dehors the rules governing and regulating the engagement of Anganwari Workers and Anganwari Helpers and that the order impugned came to be issued by Mission Director ICDS, J&K upon a thoughtful consideration as also in view of the fact that the engagement of Anganwari Workers and Helpers have had been made in various Anganwari Centres in Jammu Division in breach of the norms, guidelines and rules.

Heard counsel for the parties and perused the record.

4. Perusal of the record, available in the file, inasmuch as the Division Bench judgment (*supra*), a copy whereof came to be produced by the counsel for the petitioners, manifestly tends to show that the said judgment is squarely applicable to the case of the petitioners herein.
5. Accordingly, the instant petition is **allowed** and the respondents are commanded to allow the petitioners to continue to perform their duties as Anganwari Worker/Anganwari Helper in their respective Anganwari Centres and also to pay their honorarium without any

interruption. The case of the petitioners shall also be considered for all consequential benefits thereto in accordance with applicable rules, norms and guidelines, provided there is no legal impediment thereto.

6. **Disposed of.**

(Javed Iqbal Wani)
Judge

Jammu
24.11.2025
Vishal Sharma

Whether the order is reportable: Yes/No
Whether the order is speaking: Yes/No

