

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Pronounced on 24.12.2025

Uploaded on 29. 12.2025

Case No:- WP(C) No. 15/2022

CM No. 1696/2022

CM No. 60/2022

C/w

WP(C) No. 1991/2021

Reetu Sharma

.... Petitioner(s)

Through: Mr. Rajat Watal, Advocate

Vs

UT of J&K and Ors.

..... Respondent(s)

Through: Ms. Pallvi Sharma, Advocate vice
Mr. Ravinder Guipta, AAG
Ms. Monika Thakur, Advocate

Coram: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

ORDER

24.12.2025

1. According to the learned counsel for the petitioner, the petitioner herein claims to have been engaged as Anganwari Helper in Anganwari Centre ward No.1 Damlar- Khawas- A, ICDS Projects Budhal, vide order dated 28.02.2019, issued by Child Development Project Officer, ICDS Project, Budhal, District Rajouri and that since the joining as said Anganwari Helper, the petitioner was paid honorarium from March 2019 to November 2019, whereafter her honorarium was stoped compelling the petitioner to file WP(C) No. 1991/2021 before this Court, wherein an interim order came to be passed on 24.09.2021 with a direction to the

respondents to allow the petitioner to continue as Anganwari Helper in the Anganwari Centre till regular selection is under taken and also to release the honorarium of the petitioner under Rules for the period she has actual worked.

2. It is further stated by the learned counsel for the petitioner that the respondents instead of complying with the said interim order dated 24.09.2021, issued a disengagement order bearing No.CDPO-KOT-2021/559-60, dated 21.12.2021, in terms whereof the services of the petitioner came to be put to halt, aggrieved whereof, the petitioner maintained the writ petition bearing No WP(C). 15/2022, in that the respondents had ordered the halt in rendering the services of the petitioner as Anganwari Helper in violation of the interim order dated 24.09.2021, inasmuch as, without any rhyme or reason, as well as in breach of the principles of natural Justice.
3. **Objections** to the petitions have been filed by the officials respondents, wherein it is being *inter alia* stated that there are two sanctioned Anganwari Centres in Block, Budhal, wherein one Indra Devi was appointed as Anganwari Helper vide order dated 16.07.2007 for Anganwari Centre Khawas Ward No. 5 and one Anju Bala came to be engaged as Anganwari Helper vide order dated 16.12.2006 for Anganwari Centre Khawas –B and that the petitioner could not have been engaged in terms of order dated 28.02.2019, as Anganwari Helper and posted at Anganwari Centre Khawas-B, wherein the Anganwari Helper Anju Bala was already working since 16.12.2006.

It is further stated that upon an enquiry conducted in the matter by respondent 4 and on the basis of the report of the said enquiry, the order under challenged dated 21.12.2021 came to be issued as the honorarium of the petitioner could not be drawn owing to the working of two sanctioned Anganwari Helpers in the sanctioned Anganwari Centers.

Heard learned counsel for the parties and perused the record.

4. Perusal of the record available on the file indisputably reveals that the petitioner had been engaged as Anganwari Helper on the recommendation of the Sarpanch and was engaged for Anganwari Centre Damlar, wherein no Anganwari Centre had been sanctioned by the Government and that subsequently the petitioner came to be posted as Anganwari Helper in the sanctioned Anganwari Centre Khawas-B where in Anganwari Helper, namely Anju Bala had already been working since the 16.12.2006 and another Anganwari Helper namely Indra Devi had also been working at the sanctioned Anganwari Centre Khawas ward No. 5 since 16.07.2007, thus leaving no scope for either engagement or posting of the petitioner in the said sanctioned Centre more so, without having faced any process of selection thereof, The whole exercise undertaken by the official respondents *qua* the engagement and posting of the petitioner seemingly has been done in breach and violation of Rules and norms, inasmuch, as, the constitutional mandate. No legally enforceable right can said to be available to the petitioner in these circumstances and since the existence of a right for invoking extraordinary writ jurisdiction is *sine qua non* and in the instant case, the petitioner is lacking such a right, the only

inescapable conclusion that could be drawn is that the petitions are grossly misconceived and warrant dismissal.

5. Accordingly, petitions are *dismissed*.
6. A copy of this order be placed on the record file of each of the petitions.

(Javed Iqbal Wani)
Judge

Jammu
24.12.2025
Javid Iqbal.