

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

WP(C) No. 4077/2019

Date of Pronouncement : 21.07.2026

Uploaded on : 22.07.2026

Nisha Rana

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

Through :- None

V/s

State of J&K and others

....Respondent(s)

Through :- Mr. Meharban Singh, AAG

Coram: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

JUDGMENT (ORAL)

1. Through medium of the instant petition, the petitioner has sought the following relief:

“In view of the submissions made herein above and those to be urged at the time of hearing, it is therefore, most humbly prayed that Hon'ble Court may be pleased to issue an appropriate writ, direction or order including in the nature of:-

[B] MANDAMUS:-

Commanding and directing the respondents to grant notional seniority to the petitioner as Anganwari Worker w.e.f the date Sonali Sharma was selected as Anganwari Worker or from the date Anganwari Helper, namely Rajni Sharma was selected and engaged on 12.02.2015 pursuant to the same Advertisement notice and same selection process.

Any other relief as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case be also granted in favour of the petitioner.”

2. In light of the averments pleaded by the petitioner and in the aforesaid prayer, the petitioner is seeking notional seniority as Anganwadi Worker, w.e.f. from the date one Sonali Sharma was selected as Anganwadi Worker or from the date Anganwadi Helper, namely, Rajni Sharma was selected and engaged on 12.02.2015 in pursuance of the same advertisement notice and selection process.

3. The respondents have filed a detailed reply, in which the respondents have taken a preliminary objection that the petitioner has raised disputed question of facts, which cannot be gone into while exercising the writ jurisdiction and on this count alone, the writ petition deserves dismissal in absence of any cause of action accrued to the petitioner.

4. The respondents, while filing reply affidavit, have taken a specific stand that under the guidelines of ICDS, it is the primary duty of the Anganwadi Worker to make the Anganwadi Centre functional and the said worker is responsible for implementation of the scheme at grass root level by providing her services to the beneficiaries of the locality including the children, adolescent girls and lactating mothers. Therefore, services of Anganwadi Worker shall, for all practical purposes, will commence from the date the said Anganwadi Worker actually joined the Anganwadi Centre. In the instant case, the petitioner has joined her services on 26.06.2019, from which date the petitioner is entitled for honorarium as well as other benefits including seniority. The claim of the petitioner regarding grant of notional seniority from an anti-date is devoid of any merit, therefore, the plea of the petitioner, according to the respondents, is baseless and the writ petition is utterly misconceived and liable to be dismissed out rightly.

5. Even the petitioner is claiming seniority over two candidates, i.e., Sonali Sharma and Rajni Sharma, but the petitioner has not arrayed them as

party respondents in the instant petition. Mr. Meharban Singh, learned AAG submits that on this ground as well the writ petition deserves dismissal being not maintainable, as the petitioner has not arrayed the said two candidates as party respondents.

6. In light of the stand taken by the respondents coupled with what has been argued by learned counsel appearing on behalf of the respondents, the writ petition is devoid of any merit and misconceived and is, accordingly, **dismissed** along with connected application(s).

7. Interim direction, if any, shall stand vacated.

(Wasim Sadiq Nargal)
Judge

Jammu:
21.07.2026
Pawan Angotra

Whether the order is speaking? : Yes/No

Whether the order is reportable? : Yes/No

