

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.4776 of 2015

Decided on: 7th October, 2026

Asha Devi

.....**Petitioner**

Versus

State of H.P. and Ors

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Jai Ram Sharma, Advocate.

For the Respondents: Ms. Seema Sharma, Deputy Advocate
General for respondents No. 1 and 2.

Mr. Vipul Sharda, Advocate, for
respondent No.3.

Jyotsna Rewal Dua, Judge

Respondent No. 3 was selected and appointed as Anganwari Worker at Anganwari Center Khatrehar, Gram Panchayat Chhahri, Tehsil &, District Kangra. At the time of selection of respondent No. 3, in order to become eligible to be appointed as Anganwari Worker, annual income of family of the candidate should have been within the prescribed limit of Rs. 15,000/- in terms of eligibility

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.

criteria laid down under notification dated 05.10.2009, containing revised guidelines for appointment of Anganwari Workers under ICDS Programme in the respondent State.

2. Petitioner challenged the selection and appointment of respondent No. 3 on the ground that her family income was more than the prescribed limit. Appeal was allowed by the Additional Deputy Commissioner, Kangra on 21.05.2009, on the ground that concerned Tehsildar had reported family income of respondent No. 3 to be Rs. 20,600/- per annum, income being more than the prescribed limit, selection of respondent No. 3 was set aside. Appeal preferred by respondent No. 3 was dismissed on 28.05.2010 by the Divisional Commissioner, Kangra in view of her higher annual family income reported by Tehsildar. CWP No. 3242 of 2010 was instituted by respondent No. 3 assailing the order dated 28.05.2010 passed by the Divisional Commissioner. The writ petition was disposed of on 02.07.2010 by remanding the case for afresh decision to the competent authority. Pursuant thereto, Additional Deputy Commissioner, Kangra decided the case afresh on 28.08.2010 and held the appeal filed by the petitioner to be barred by limitation. Appeal was accordingly dismissed. CWP No. 6701 of 2010, preferred by

the petitioner against the aforesaid order, was disposed of on 12.05.2011 by remanding the matter to the Appellate Authority to consider the appeal on merits.

3. Learned counsel for the petitioner submits that the appeal preferred by the petitioner, which was to be decided in terms of order dated 12.05.2011 in CWP No. 6701 of 2010, is still pending adjudication, despite the observations made in the aforesaid order for expeditious disposal of the appeal. This writ petition was instituted in the year 2015. None of the respondents have filed reply. Learned counsel for the petitioner submits that petitioner would be satisfied in case competent authority is directed to decide the appeal expeditiously.

4. Looking to the case file, wherein respondents have not even filed reply, this writ petition is disposed of with directions to respondent No 2 / competent authority to consider and decide the appeal preferred by the petitioner against selection and appointment of respondent No. 3, if pending as on date, in accordance with law within six weeks from today.

Pending miscellaneous application(s), if any,
also to stand disposed of.

October 07, 2026
R.Atal

Jyotsna Rewal Dua
Judge