

**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA**

**CWP No. 10904/2023
Decided on: 01.10.2026**

Saroj Bala

.....Petitioner

Versus

State of H.P. & Ors.

.....Respondents.

Coram

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?¹

For the petitioner:

Mr. Mukul Sharma, Advocate.

For the respondents:

**Mr. Rajat Choudhary, Deputy
Advocate General, for respondents
No.1 to 4.**

Respondent No.5 ex parte.

**Mr. Servedaman Rathore, Advocate,
for respondent No.6.**

Jyotsna Rewal Dua, J

The petitioner felt aggrieved by the selection and appointment of respondent No. 6 as Part Time Multi Task Worker (PTMTW) in Government Pre-Primary School, Majra, Education Block Majra, District Sirmaur, Himachal Pradesh. The appeal preferred by her under Clause 19 of the Part Time Multi Task Worker Policy, 2020, against the selection and appointment of respondent No. 6 was dismissed by the Additional District Magistrate, District Sirmaur, on 01.06.2023. The second appeal preferred by the petitioner was also dismissed by the Director, Elementary Education-cum-Second Appellate Authority, on

¹ Whether reporters of the local papers may be allowed to see the judgment? yes

01.07.2023. Feeling aggrieved, the petitioner has instituted the present petition.

2. In the interview/counselling, the petitioner as well as respondent No. 6 scored 22 marks each. Since the income of respondent No. 6 was lower than that of the petitioner, respondent No. 6 was selected and appointed as PTMTW in Government Pre-Primary School, Majra in view of the governing clauses of the applicable Part Time Multi Task Worker Policy, 2020.

The sole ground urged by learned counsel for the petitioner against the selection and appointment of respondent No. 6 as Part Time Multi Task Worker is that the said respondent was wrongly awarded 8 marks under the heading "same ward" of the Gram Panchayat. According to the petitioner, respondent No. 6 is resident of Ward No. 6 of Gram Panchayat, Majra, as per the voter list, whereas Government Pre-Primary School, Majra, is situated in Ward No. 7 of Gram Panchayat, Majra.

3. The above ground urged for the petitioner was also her main plank before the authorities below. Petitioner's contention that respondent No. 6 was a resident of Ward No. 6 of Gram Panchayat, Majra, was turned down on examination of facts. The order passed by the Additional District Magistrate, District Sirmaur, refers to this objection raised by the petitioner. As per the order, a report was requisitioned from the Block Development Officer, Paonta Sahib, with regard to the residence of respondent No. 6. The report confirmed that respondent No. 6 was a resident of Ward No. 7. Her name was wrongly recorded in the voter list

of Ward No. 6 of Gram Panchayat, Majra. Her all family members were residents of Ward No. 7 of the Gram Panchayat. It is admitted position that the school is also located in Ward No.7.

During hearing of the case, learned counsel for the petitioner, by placing on record voter list (proposed) for the year 2022, submitted that respondent No. 6 had been recorded as voter in Ward No. 6. The said was only a proposed list and cannot be taken into consideration for determining the residence of respondent No. 6 vis-a-vis the selection process that was initiated in the year 2023. In fact, learned counsel for respondent No. 6 has placed on record the corrected voter list (final)-2025, wherein petitioner's name figures in Ward No. 7. Be that as it may, once the fact-finding authorities, after calling for the requisite report from the concerned authority, have established that respondent No. 6, along with all her family members, was resident of Ward No. 7, where the school is also admittedly located, there is no justification, in the given facts and circumstances, to disbelieve the factual findings recorded therein, that too in light of the voter list (final)-2025 placed on record. Respondent No.6, therefore, was justly given 8 marks for belonging to same ward where school was located. Accordingly, there is no merit in the instant petition and, accordingly, the same is dismissed. Pending miscellaneous application(s), if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

1st October, 2026_(rohit)