

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.17016 of 2026

Date of Decision: 06.10.2026

Reena Petitioner

Versus

State of Himachal Pradesh & others ... Respondents

Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹

For the Petitioner: Ms. Kritika Rajta, Advocate.

For the Respondents: Mr. Rajan Kahol & Mr. Vishal Panwar,
Additional Advocate Generals with Mr. Ravi
Chauhan & Mr. Anish Banshtu, Deputy
Advocates General.

Sandeep Sharma, Judge(oral):

Being aggrieved and dissatisfied with orders dated 04.08.2026 and 18.04.2026 passed by Second and First Appellate Authorities, thereby rejecting the appeal filed by the petitioner, laying therein challenge to selection and appointment of respondent No. 5 as an Anganwadi Worker at Anganwadi Centre, Dharampur Sandhu, Tehsil Theog, District Shimla, petitioner has approached this Court in instant proceedings filed under Article 226 of the Constitution of India, praying therein for following reliefs:-

- “i) To quash and set aside the impugned orders dated 04.08.2026 and 18.04.2026 passed by the Second and First Appellate

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

Authorities respectively, alongside the illegal selection and appointment of respondent No.5 as Anganwadi worker at Anganwadi Centre Dharampur Sandhu, Tehsil Theog, District Shimla, Himachal Pradesh;

- ii) To direct the respondents to award 2 additional marks to the petitioner under the applicable selection criteria based on her family planning/sterilization certificate, revise the merit list and consequently appoint the petitioner to the said post with all consequential benefits;
- iii) To direct the competent authority to reconsider the petitioner's claim afresh in a time bound manner by examining the complete selection record and passing a reasoned and speaking order;
- iv) To direct the respondents to produce the entire original selection record, including application forms, scrutiny sheets and selection committee proceedings before this Hon'ble Court."

2. Precisely, the facts of the case, as emerge from the pleadings and other material adduced on record by the respective parties, are that Government of Himachal Pradesh vide advertisement dated 10.07.2024, issued by the Office of Child Development Project Officer, Theog, invited application for recruitment to the post of Anganwadi Worker and Helper, petitioner alongwith other eligible candidates including respondent No. 5 applied for the post of Anganwadi Worker/Helper at Anganwadi Centre Dharampur, Tehsil, Theog, District Shimla, H.P. However, fact remains that petitioner was not selected and respondent No. 5 was appointed against the post of Anganwadi Worker/Helper at Anganwadi Centre Dharampur, Theog, District Shimla, Himachal

Pradesh. Being aggrieved and dissatisfied with the selection of respondent No. 5, petitioner preferred appeal before Additional District Magistrate (Additional District Magistrate) Shimla, but same was dismissed vide order dated 18.04.2026. Being aggrieved and dissatisfied with aforesaid order passed by Additional District Magistrate, petitioner preferred second appeal before Director, Women and Child Development, but same also came to be dismissed vide order dated 04.08.2026. In the aforesaid background, petitioner has approached this Court in instant proceedings, praying therein to set aside aforesaid orders and direct the respondents to issue appointment letter to the petitioner.

3. Precisely, the case of the petitioner as has been highlighted in the petition and further canvassed by Ms. Kritika Rajta, learned counsel for the petitioner is that, Interview Committee, while assessing the candidature of the petitioner, wrongly not awarded her two marks for her having certificate of sterilization. Learned counsel representing the petitioner stated that since there was no specific mention in the advertisement notice that certificate issued by the competent authority with regard to sterilization was to be annexed with the application, petitioner did not annex the same, but produced the same at the time of interview, but she was not awarded marks for the same, as a result thereof, respondent No. 5 was selected.

4. To the contrary, Mr. Rajan Kahol, learned Additional Advocate General, while putting in appearance on behalf of respondents, vehemently refuted the claim of the petitioner that at the time of interview petitioner had placed on record certificate issued by competent authority with regard to sterilization of the petitioner. He stated that it is admitted case of the petitioner that she had not annexed certificate of sterilization, if any, issued by competent authority alongwith application. While making this Court peruse advertisement (Annexure P-1) Mr. Kahol, stated that it was specifically mentioned in the advertisement that candidate possessing sterilization certificate shall be given two additional marks. Mr. Kahol also submitted that it is also specifically mentioned in the advertisement that certificate with regard to one or two daughters was also required to be placed on record for getting additional marks on account of sterilization. He stated that since petitioner failed to produce aforesaid certificate, no illegality can be said to have been committed by Interview Committee by not granting two additional marks to the petitioner.

5. Having heard learned counsel for the parties and perused material available on record vis-a-vis reasoning assigned by the Appellate Authorities while passing orders dated 18.04.2026 and

04.08.2026, this Court finds no illegality and infirmity in the same and as such, no interference is called for.

6. Admittedly, petitioner failed to annex copy of sterilization certificate alongwith her application. Similarly, there is no concrete evidence adduced on record to prove that at the time of interview petitioner had made available sterilization certificate. If it is so, she rightly was not granted two additional marks. Though, during the proceedings of the case, learned counsel for the petitioner attempted to argue that sterilization certificate was adduced on record by the petitioner at the time of interview, but such submission of her is without any basis. There is no specific averment with regard to the same in the writ petition.

7. To the contrary, learned Additional Advocate General, pursuant to the directions issued by this Court has made available record, perusal whereof clearly reveals that petitioner failed to produce sterilization certificate at the time of making application as well as at the time of interview and as such, no illegality can be said to have been committed by both the courts below, while passing orders impugned in the instant proceedings. Moreover, this Court finds that petitioner has been already appointed as Helper in the same Anganwadi Centre and she has also joined against the post.

8. Consequently, in view of the above, this Court finds no merit in the present petition and accordingly, same is dismissed being devoid of any merit. Pending applications, if any, also stand disposed of.

**(Sandeep Sharma),
Judge**

October 06,2026
(shankar)