

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 36073 OF 2015

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ORDER:

First petitioner is working as Mini Anganwadi Helper and petitioners 2 to 4 are working as Anganwadi Helpers. In this Writ Petition, petitioners claimed that they are entitled to be promoted as Anganwadi Workers in the Anganwadi Centers of respective villages and without recruiting them, the third respondent herein issued a notification dated 12.9.2015 to recruit persons to the post of Anganwadi Workers from open market. Preference should be given to the Anganwadi Helpers for consideration of promotion/appointment as Anganwadi Workers in the same village even though there is more than one center available in the same village. Anganwadi Helpers who are working in one center and vacancies available in another center was considered by this Court in Writ Petition No. 31374 of 2015 and batch dated 16.11.2015 and held after analyzing various instructions on this issue that the Anganwadi Helper of the concerned Village is eligible to be considered for promotion as Anganwadi Worker in that Village irrespective of the Centers in which the person is working.

In the instant case, the learned Government Pleader stated that the first petitioner is working as Mini Anganwadi Helper and is not eligible for

appointment/promotion. He further submits that as far as petitioners 2 to 4 are concerned, in the respective Villages there are vacancies and they are eligible for consideration.

Having regard to the said submission, following the decision of this Court dated 16.11.2015 in W.P.No. 31374 of 2015 and batch, the notification dated 12.9.2015 issued by the 3rd respondent herein is set aside and the respondents are directed to consider the case of petitioners 2 to 4 for promotion/appointment as Anganwadi Workers in the respective villages subject to their eligibility and suitability in the existing vacancies, within a period of four (4) weeks from the date of receipt of a copy of this order. In so far as the first petitioner is concerned, since the first petitioner is not eligible to be considered for appointment/promotion, this Writ Petition is dismissed as against the first petitioner.

With the above observation, the Writ Petition is allowed in part. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

P. NAVEEN RAO,

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Date: 14.12.2015

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