

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 17869 of 2013 (O&M)

Date of Decision: 13.02.2015.

Mrs. Gita Bai

--Petitioner

Versus

State of Haryana & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Mohan Singla, Advocate for the petitioner.

Mr. Ravi Partap Singh, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

Challenge in the instant writ petition is to the selection and appointment of private respondent no.4 to the post of Aanganwari Helper under the Child & Woman Development, State of Haryana.

Brief facts that would emerge from the pleadings on record are that certain posts of Aanganwari Helpers were advertised pertaining to District Fatehabad on 15.2.2013 and out of which one post was reserved for village Mussa Khera. The petitioner claiming to be eligible for the post of Aanganwari Helper had applied for the post and was called for an interview on 26.3.2013 along with other eligible applicants. Apparently, upon the process of selection having culminated, the petitioner has secured 27 marks, whereas the selected/appointed candidate i.e. respondent no.4 has secured 27.5 marks.

Learned counsel appearing for the petitioner would vehemently argue that the selection process is vitiated as the petitioner was more meritorious in comparison to the private respondent. In this regard, it is submitted that the petitioner has passed her Middle Examination with 50%

marks and thereafter even the Secondary Examination, whereas the selected candidate has only passed the Middle Examination. It is further contended that the petitioner has also completed a four months course in Model Aanganwari Management and towards such experience and qualification no extra weightage has been given to her. It is also the contention raised by the counsel that at the time of interview the respondent authorities have arbitrarily assigned to the selected candidate 2.5 marks as opposed to 2 marks given to the petitioner.

Per contra, learned State counsel would contend that the selection and appointment to the post of Aanganwari Helper has been carried out strictly in terms of the instructions formulated by the State Govt. governing appointment of Aanganwari Workers and Helpers. It has been submitted that for the solitary post of Aanganwari Helper for village Mussa Khera three applications had been received and upon scrutiny of the documents and due verification done with regard to eligibility interviews were conducted on 26.3.2013 and it is strictly in terms of merit determined that private respondent no.4 has been selected and appointed as Aanganwari Helper.

Even though, respondent no.4 had been duly served but no representation has been caused on her behalf.

Learned counsel for the parties have been heard at length and the pleadings on record have been perused.

Appended along with the reply filed on behalf of respondents no.2 and 3 are the instructions dated 12.6.2008 (Annexure R-1), issued from the Director, Woman & Child Development, Haryana governing the appointment of Aanganwari Workers and Helpers under the Department of

Woman & Child Development. Such instructions lay down the eligibility for the post of Aanganwari Worker, Mini Aanganwari Worker as also Aanganwari Helper. Apart from laying down the age criteria even the criteria for selection of the post of Aanganwari Helper has been detailed therein. Since the controversy is limited to the post of Aanganwari Helper, as per criteria stipulated in the instructions 20 marks were assigned for the essential educational qualification i.e. Primary, 5 marks for Middle Pass, 10 marks in case of a widow/divorcee and 5 marks at the stage of Interview.

During the course of arguments, it has gone uncontroverted that the petitioner as also the selected candidate have been awarded 20 marks on account of possessing the essential primary qualification and have also been awarded 5 marks each for additional qualification i.e. over and above the primary qualification. In the interview which carried a maximum of 5 marks the petitioner has been granted 2 marks, whereas the selected candidate has managed to secure 2.5 marks.

It would be apposite to notice that no malafides have been alleged at the hands of the petitioner towards the selection agency/respondents. In the absence of pleadings in this regard the plea of being underassessed at the stage of interview would not carry any weight. Merely on the basis that the petitioner possesses a better academic record in comparison to the selected candidate who otherwise was eligible for the post cannot be a ground to invalidate the selection process.

That apart, the contention raised on behalf of the petitioner as regards extra weightage to be granted on account of having qualified a Model Aanganwari Management Course, the same is found without merit.

In the criteria for selection to the post of Aanganwari Helper as per

instructions/policy formulated by the State Govt., no such preference is envisaged. There is no challenge to the criteria by the petitioner.

This Court is satisfied that the selection and appointment to the post of Aanganwari Helper relating to village Mussa Khera was strictly in conformity with the selection criteria stipulated under the Haryana State Policy/Instructions dated 12.6.2008.

No basis for interference in the process of selection is made out. Writ petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

February 13, 2015.
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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

COCF No. 249 of 2014 (O&M)

Date of Decision: 13.02.2015.

Gian Chand

--Petitioner

Versus

Smt. Anjali Bhawra & another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ranjit Saini, Advocate for the petitioner.

Mr. M.C. Berry, Addl. A.G., Punjab.

TEJINDER SINGH DHINDSA.J

Learned counsel appearing for the petitioner would submit that in the light of the order at Annexure R-1 appended along with the reply, the directions issued by the Writ Court stand complied with.

Accordingly, the instant contempt petition is disposed of as having been rendered infructuous.

Rule discharged.

**(TEJINDER SINGH DHINDSA)
JUDGE**

February 13, 2015.
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