

IN THE PUNJAB AND HARYANA HIGH COURT
AT CHANDIGARH

CWP No.23777 of 2012

Date of Decision:22/09/2015

Sushma

...Petitioner

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Adarsh Jain, Advocate for the petitioner.

Ms. Shruti Jain Goyal, A.A.G. Haryana.

1. To be referred to the reporters or not?
2. Whether the judgment should be reported in the digest?

DEEPAK SIBAL, J.

Through the present petition, the petitioner seeks quashing of order dated 27.8.2012 (Annexure P-5) through which in spite of her selection as an Anganwari Helper, appointment has been declined. She further seeks issuance of a direction to the respondents to appoint her as an Anganwari Helper.

On perusal of the record and after hearing counsel for the parties, the facts that have emerged are that in December 2011, the respondents invited applications for appointment of Anganwari Workers and Helpers from Ward No.24, Palwal. As the appointment was for residents of that particular area, alongwith application proof of residence was required to be filed.

In pursuance to the above, the petitioner applied for the consideration of her candidature for being appointed as an Anganwari Helper. Alongwith her application, she filed proof of her residence. On the basis of her application, the petitioner's case was considered and she was

selected but was not offered appointment.

Aggrieved by the non issuance of an appointment letter, she got served upon the respondents a legal notice in response to which her claim was rejected. It is this action of the respondents that is challenged by the petitioner through the present petition.

A perusal of the written statement filed on behalf of the respondents to which there is no rebuttal by the petitioner shows that when the proof of residence as submitted by the petitioner alongwith her application was got verified, it was found that the petitioner had applied for appointment as Anganwari Helper at three different places and in each of her application, she had shown her residence to be different.

On further probe, it was found that though she was born in Palwal but after her marriage to one Pankaj son of Shambhu Dayal, resident of village Fatehpur Billoch, Tehsil Ballabgarh, District Faridabad, she had been residing with her in-laws in village Fatehpur Billoch.

The record of Anganwari Centre No.85 located at village Fatehpur Billoch revealed that the name and address of the petitioner had been recorded therein as a resident of Fatehpur Billoch with the head of the family being Shambhu Dayal, her father-in-law. The record further revealed that she had two sons whose names were also recorded in the register of Birth and Death at Anganwari Centre No.85 at village Fatehpur Billoch and her second son namely Hemant was born on 17.11.2011 just 11 days before she had applied for the post in the question and during the time she was pregnant with Hemant and post delivery i.e. six months before and six months after the interview for the post in question, she as a resident of Fatehpur Billoch had availed all the facilities at Anganwari Centre No.85 at

village Fatehpur Billoch. It was further revealed that her son Hemant had also been provided nutrition as well as other facilities from the abovesaid Anganwari Centre at village Fatehpur Billoch.

As observed earlier, the above facts have not been controverted by the petitioner.

In view of the above, it is abundantly clear that the petitioner's application for the post in question contained false particulars with regard to her residence. For having made a false declaration in her application, the petitioner deserves no relief.

Consequently, finding no merit, the present petition is ordered to be dismissed.

No costs.

(DEEPAK SIBAL)
JUDGE

22.09.2015
rajeev