

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22445-2014(O&M)
Date of decision : 10.03.2015

SHEELAWATI

.....PETITIONER

VS

STATE OF HARYANA & ORS

..... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Kartar Singh Malik, Advocate for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

CM-16003-2014

CM allowed. Annexures P-7 and P-12 taken on record.

CWP-22445-2014

By this petition the petitioner has challenged the selection of respondent No.6 as Anganwari Worker. Earlier the petitioner had filed CWP No.12978 of 2014 and that writ petition was disposed of with the following direction:-

“ In view of the statement made by the counsel for the petitioner and without going into the merit of the case or commenting thereon, the present writ petition is disposed of with directions to the Additional Deputy Commissioner, Jhajjar, District Jhajjar to consider and decide the representation dated 25.06.2014 (Annexure P-9) within a period of eight weeks from the date of receipt of certified copy of this order.

In case the claim of the petitioner is not to be accepted, then a well reasoned and speaking order be

passed and conveyed to the petitioner forthwith.”

Thereafter the petitioner filed a complaint before the ADC, Jhajjar which was rejected by order Annexure P-11. In the complaint the two allegations made by the petitioner were that the ration card and caste certificate submitted by respondent No.6 were not attested and were in fact forged and the second that her caste certificate was made in her ancestral village Kablana and not the village of her husband Jassor Kheri. On both these questions of fact the ADC has given detailed finding after considering the entire evidence, she has found that as a fact that respondent No.6 Usha Rani was eligible as she was from the Scheduled Caste and was a daughter-in-law of the village. She has also found that respondent No.6 had been married to Daya Chand on 06.01.2013 after the death of his first wife on 27.09.2012. This fact was verified by the Sarpanch, Gram Panchayat, Jassor Kheri and by the Tehsildar Bahadurgarh who had issued her residence certificate of Jassor Kheri. Apart from that she also found that the documents submitted by her before the Women and Child Development Officer, Bahadurgarh(Rural-I) were duly attested. The ADC also found that the mere fact that the caste certificate of respondent No.6 was issued from Kablana would not render her ineligible. Today leaned counsel has sought to argue that actually the caste certificate and the ration card had not been attested on the date of application but were attested subsequently. I am afraid this is a pure question of fact which has been decided by the ADC on the basis of evidence. He has not been able to

point out how the appreciation of evidence is perverse.

Petition is dismissed.

(AJAY TEWARI)
JUDGE

March 10, 2015
sunita