

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 24994 of 2013
Date of decision : May 27, 2015

Shakuntla

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CWP No. 15369 of 2013

Suman

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:-

Ms. Pooja Chopra, Advocate
for the petitioner in CWP No. 24994 of 2013.

Mr. Chanderhas, Advocate
for the petitioner in CWP No. 15369 of 2013 and
for respondent No.7 in CWP No. 24994 of 2013.

Mr. Hitesh Pandit, Additional Advocate
General, Haryana.

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?

Amit Rawal, J (oral).

This order of mine shall dispose of both the writ petitions as common questions of law and fact are involved.

Suman knocked the door of this Court by filing CWP

No. 15369 of 2013 challenging the order dated 5.6.2013 (Annexure P-13) passed by the Women and Child Development Program Officer, Jhajjar whereby the petitioner has been directed to work in Centre No. 119 situated at Khajpur. It may not be out of place to mention that there are three places, Nayagaon, Khajpur and Gurukul having common panchayat of Village Khajpur. The petitioner is stated to have been appointed on 30.5.2011 as an Anganwari worker and in appointment letter Annexure P-1 she has been assigned Centre No. 155.

The grievance of the petitioner is that the Director, Women and Child Development Department vide order dated 23.5.2013 (Annexure P-12) passed in her favour stating therein that she cannot be transferred from Village Nayagaon (for which she was appointed) to Village Khajpur. Shakuntla another Anganwari worker vide Annexure P-5 was appointed in the year 1996 and assigned Centre No.155 at Nayagaon.

It is only in the year 2011 discontentment among the aforementioned petitioners arose when Suman was appointed owing to the exigency of work, since the Village Khajpur has three centres Nayagaon, Khajpur and Gurukul, both the petitioners could not be permitted to work as Anganwari workers in one Centre i.e. 155 situated at Nayagaon. Shakuntla knocked the door of this Court by filing CWP No. 24994 of 2013 on the premise that Suman had concealed certain facts, particularly the undertaking dated 9.5.2012 (Annexure P-19).

Mr. Chanderhas Yadav, learned counsel appearing

on behalf of the petitioner in CWP No. 15369 submits that the undertaking was submitted on 23.1.2012 which had been noticed in the order Annexure P-11 passed by the Child Development Program Officer, Jhajjar whereby the petitioner was permitted to work as Anganwari worker at Khajpur.

Be that as it may, since there are three aforementioned centres, both the petitioners are directed to work on all the three centres turn wise. The Director, Women and Child Development Department, Haryana Sector-4 Panchkula is directed to assign the duties of Anganwari workers to both the petitioners at the aforementioned Centres keeping in view the necessity of work, in case the Director finds that there are only two active Centres Nayagaon and Khajpur and then the petitioners may not be assigned duties as Anganwari workers in the Gurukul Centre at present. The direction of this Court be complied with by the Director within a period of one month from the date of receipt of copy of this order.

It is expected that the petitioners shall abide to the directions given by the Director, Women and Child Development Department -respondent No.2 and perform their duties as Anganwari workers in the respective centres assigned to them turn wise.

The writ petitions stands disposed of.

(AMIT RAWAL)
JUDGE

May 27 , 2015
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