

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.20912 of 2015

Date of decision: 26.8.2016

Meenakshi

... Petitioner

Versus

State of Haryana & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: None for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

RAJIV NARAIN RAINA, J.(Oral)

No one appears for the petitioner. The challenge in this petition is to the appointment of the 4th respondent as Anganwari Worker. The grievance of the petitioner is that she was entitled to three marks for experience on a certificate issued by the Mahila Vikas Avm Bal Kalyan Parshikshan Kendra, which is a registered society and if marks would be given for this experienced she would come in merit. The written statement filed by the respondent State to contest the action furnishes sufficient justification as to why the petitioner was not appointed as an Anganwari Worker. The State has relied on its policy instructions dated June 12, 2008 for recruitment of Anganwari Workers which requires experience certificates of 1 to 3 years as per para No.6(C) thereof, which should be earned from the Government or Government recognized institutes. In the present case, the petitioner does not possess an experience certificate from any Government/Government recognized institute and the certificate relied upon is of a society which is neither a

Government institute nor a Government recognised institute. Therefore, there was no infirmity in the action of ignoring the petitioner for lack of merit among the contestants. Besides, the petition has been filed after 1½ years of selection and in a recruitment process considerable delay in vindicating rights before the administration and the Court appears to be almost fatal to the action as third party rights have settled which cannot be lightly disturbed. It is also mentioned in the written statement that one Sushil Kumari widow of Balbir was selected as she had secured maximum 76 marks but did not join as Anganwari Worker. Therefore, the chance had to give to the next candidate in the waiting list and therefore, the selection of Sushil Kumari was cancelled and the next candidate in the waiting list, namely, Namita Devi-respondent No.4 was appointed as per the merit list. No ground is made out for interference.

No merit. Dismissed.

(RAJIV NARAIN RAINA)
JUDGE

26.8.2016

monika

Whether speaking/reasoned

Yes

Whether Reportable:

No