

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

229

CWP-6679-2016

DATE OF DECISION:29.11.2016

KAMLA DEVI

... Petitioner

V.

STATE OF HARYANA AND ORS.

.. Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. J.P. Sharma, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking a direction to the respondent No.1 to decide his appeal against the order terminating his services on 09.05.2014 (Annexure P1). The petitioner is stated to have been appointed on the post of Anganwari Worker in village Ganwari Jat, Tehsil Narnaul, District Mahendergarh on 29.09.1983. She was dismissed from the post of Anganwari Worker vide order dated 09.05.2014 (Annexure P1). The petitioner has preferred appeal on 07.06.2014 before respondent No.1, who is the Financial Commissioner-cum-Principal Secretary, Women and Child Development Department, Haryana.

Learned counsel for the State has filed reply on behalf of the respondents which is taken on record. In the reply filed by respondents, it is stated that the appeal of the petitioner would be decided by respondent No.3, who is the Additional Deputy Commissioner, Narnaul.

The order dismissing the petitioner from the post of Anganwari Worker has been passed by Director, Women and Child Welfare Department, Haryana. The appeal preferred by the petitioner would have to be decided by an officer higher in rank than Director, Women and Child Welfare Department, Haryana. Indisputably the Additional Deputy Commissioner is not holding an office higher than Director.

Consequently, the petition is allowed. The respondent No.1 is directed to consider and decide the appeal of the petitioner, in accordance with law after affording him an opportunity of hearing within a period of four months from the date of receipt of certified copy of this order.

November 29, 2016

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Note:

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No