

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

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**CWP-5464-2015 (O&M)
Date of decision: 13.02.2017**

Kamlesh Devi

....Petitioner

Versus

State of Haryana and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Jitender Rana, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

P.B. Bajanthri, J. (Oral)

In the instant writ petition, the petitioner has questioned the order of termination dated 19.12.2014 vide Annexure P5. The petitioner is stated to have been appointed as Anganwari Worker on 06.04.2006. Her services have been terminated on the score that petitioner had submitted wrong affidavit of income and on that basis she got her children scholarship from the Higher Secondary School Education. Based on the said fact, the petitioner's services have been terminated on 19.12.2014. Undisputedly, the petitioner was working as an Anganwari Worker from 06.04.2006. Petitioner's services have been dispensed without holding inquiry. When the petitioner's services have been dispensed on the allegations of misconduct it is bounden duty of the respondents to initiate necessary disciplinary proceedings. Therefore the impugned order of termination dated 19.12.2014

is without notice and holding of an inquiry. Thus, order dated 19.12.2014 vide Annexure P5 is set aside reserving liberty to the respondents to initiate appropriate disciplinary proceedings in accordance with law if it is warranted.

At this stage, learned counsel for the petitioner submitted that even though petitioner was taken back to duty pursuant to the interim order passed by this court. However, for the intervening period from the date of termination till reinstatement salary has not been disbursed to the petitioner. Therefore, the respondents are directed to calculate and release the arrears of salary from the date of termination till reinstatement along with 9% interest per annum within a period of 3 months from today.

13.02.2017

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No