

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

CWP No.27986 of 2018
Date of decision 31.10.2018

Shakuntla Devi

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Pankaj Midha, Advocate,
for the petitioner.

Ritu Bahri, J. (oral)

Petitioner is seeking direction to respondent Nos. 1 to 4 to implement the supervision system according to job responsibilities of Multipurpose Health Supervisor (Male) and Multipurpose Health Supervisor (Female).

Petitioner is working as Multipurpose Health Worker (Female). Job responsibilities of Multipurpose Health Worker (Male) and Multipurpose Health Worker (Female) are annexed as Annexures P-2 and P-3, which are identical. Respondent No.5 is working as Multipurpose Health Supervisor (Male). He issued a notice/letter dated 23.08.2018 (Annexure P-5) seeking explanation from the petitioner that she has not managed her registers in proper manner and was not present at the Health Sub Centre.

Learned counsel for the petitioner argued that as per prevalent rules, respondent No.5 is not authorized to issue any such letter seeking explanation from the petitioner. Against the aforesaid notice/letter dated

23.08.2018 (Annexure P-5), petitioner has made a representation dated

13.09.2018 (Annexure P-6). Learned counsel has referred to the judgment passed by this Court in **Ramesh Kumar & others vs. State of Haryana and another**, CWP No.9844 of 1992, decided on 06.02.2014 (Annexure P-7), wherein Multipurpose Health Workers (Male) had sought direction to the respondents to give them pay at par with Multipurpose Health Workers (Female). The said petition was dismissed keeping in view that the nature and duties are not identical and certain duties, which are being performed by Multipurpose Health Workers (Female) only.

Subsequently, Multipurpose Health Workers (Female) challenged the Haryana Health Department Multipurpose Health Supervisor & Multipurpose health Workers Group C Service Rules, 1984 and file CWP No.21877 of 2012 before this Court seeking direction to make one cadre for both Male and Female Multipurpose Health Workers, so that they can have equal opportunities for promotion. The said writ petition was dismissed vide judgment dated 28.04.2014 (Annexure P-8). It was held that there was sufficient reason, base and justification for constitution of two separate cadres of Multipurpose Health Workers (Male) and Multipurpose Health Workers (Female).

With regard to their grievance, petitioner made a representation dated 13.09.2018 (Annexure P-6) to the Civil Surgeon, Jind, but no action has been taken thereon till date.

Keeping in view the above judgments passed in CWP No.9844 of 1992 & CWP No.21877 of 2012 (Annexures P-7 & -8 respectively), this petition is disposed of by giving direction to the respondents, especial to the Civil Surgeon, Jind, to look into the representation dated 13.09.2018 (Annexure P-6) and pass final order thereon in accordance with law, within

a period of four weeks from the date of receipt of certified copy of this order.

31.10.2018
ajp

(RITU BAHRI)
JUDGE

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