

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

**CWP No.27730 of 2018
Date of decision:16.08.2019**

Bhawna

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Krishan Singh, Advocate
for the petitioner.

Mr. Hitesh Pandit, Addl.A.G.Haryana.

AMIT RAWAL J. (Oral)

Grievance of petitioner in present writ petition is two fold:- one respondents cannot convert the post of General Category into Scheduled Caste and second rejection of her case for consideration for the post of Anganwadi Worker of Backward Class.

It has been contended that there are two Anganwadi Centre in village Balauli in which two Anganwadi Workers are posted. One post of Anganwadi fell vacant and thereafter, applications were invited for filling up the said post. The petitioner being eligible (10+2) applied for the post of Anganwadi Worker under BCA Category but was flabbergasted to receive memo dated 19.07.2018 whereby her case was rejected. On 05.07.2018, submitted an application under Right to Information Act, 2005 to ascertain whether the post of General Category Anganwadi Worker has been converted into SC Category. On receiving the information, it has come to the knowledge that post of Anganwadi Worker in village Balauli was

reserved for Scheduled Caste Category and in this regard, submitted representation (Annexure P-6) but no action has been taken so far.

In response to the notice of motion, Project Officer, Women and Child Development Chhachhrauli, District Yamuna Nagar filed short reply wherein it has been submitted that there were two posts of Anganwadi Workers out of which one post was reserved for Scheduled Caste. After re-examining the matter, the said post was treated as General Category post but there was no post for the Scheduled Caste and in this regard, reliance was laid upon the letter dated 26.11.2018 (Annexure R-1).

I have heard the learned counsel for the parties and appraised the paper book. It would be in the fitness of things to extract the contents of letter dated 26.11.2018 (Annexure R-1) which read thus:-

“From

*Women and Child Development Project Officer,
Chhachhrauli, Yamuna Nagar.*

To

*Smt. Bhawna wife of late Shri Santi Kumar
Resident of village and post office
Balouli, District Yamuna Nagar.*

Memo No.596 dated 26.11.2018.

*Subject: Application for appointment as Anganwadi
Worker*

*In continuation to this office letter no.228 dated
19.7.2018 on the subject cited above.*

You are informed that the vacant post of Anganwadi worker in village Balouli was reserved for Scheduled Caste Category. That on the re-assessment of Anganwadi Workers relating to Scheduled Castes category of this block, a decision was taken to fill up this vacant post of Anganwadi Worker of village Balouli as General Category. Interview for the vacant post of Anganwadi Worker of village Balouli was conducted on 29.10.2018 for cancellation of which letter has been written to higher authorities. As per department instructions schedule castes/backward class candidates can apply for general category post. In the interview which will be fixed in future, for the purpose of filling the vacant post of Anganwadi Worker in this village, your application shall be considered.

Sd/-

(Seeme Parshad)

*Women and Child Development Project Officer,
Chhachhrauli, Yamuna Nagar.*

The respondents have re-considered the matter and redressed the claim of petitioner vis-a-vis first relief by converting post of General Category into Scheduled Caste which no longer subsists. The question which now arise is whether second relief can be granted by this Court or not.

From perusal of contents of letter, *ibid*, it is revealed that there is no bar for the candidates belonging to Scheduled Castes/Backward Class to apply for General Category Post.

In view of above, writ petition stands disposed of with liberty to the petitioner to apply for the said post, if still interested.

(AMIT RAWAL)
JUDGE

August 16, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No