

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

**CWP-7433 of 2020 (O&M)
Date of Decision:22.05.2020**

Ranbir Kaur and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. H.S. Saggu, Advocate for the petitioners.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via WhatsApp facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioners are currently serving as Aanganwari Workers.

Challenge in the instant petition has been laid to a public notice dated Nil (Annexure P/2A) laying down a criteria for selection of Supervisors. As per counsel the public notice (Annexure P/2A) is in derogation to the Public Social Security and Development of Women and Children (Group 'C') Non-Ministerial Service Rules 2001.

Even though a perusal of the public notice mentions that the promotion by selection to the post of Supervisor would be made as per statutory rules, yet Mr. H.S. Saggu, learned counsel for the petitioners contends that under the statutory rules the criteria of seniority-cum-merit should be adopted whereas the respondents are proceeding solely on the basis of seniority.

There is however no material on record to substantiate such

assertion.

Mr. H.S. Saggu, Advocate, at this stage would advert to a list regarding promotion of Aanganwari Workers as Supervisors relating to Nabha Block (Patiala) (Annexure P-4) to assert that the list for purposes of consideration of candidates to the post of Supervisors are being called for only on the basis of seniority. It is further contended that no opportunity has been granted by the respondent authorities to even file objections to the public notice (Annexure P/2A) even though such an opportunity has been mentioned in the public notice itself.

Notice of motion.

Since an advance copy of the petition had already been served upon the State of Punjab, Mr. Abhay Pal Singh Gill, AAG, Punjab, has joined proceedings.

Mr. Gill, AAG, Punjab, very fairly states that in case any objection in writing is submitted by the petitioners within a period of one week from today, the same would be considered in accordance with law and against the backdrop of the relevant statutory rules and a final decision thereupon would be taken and conveyed to the petitioners.

Statement made by learned State Counsel is accepted.

In view of the above, no further directions are required to be passed.

Writ petition disposed of.

It is however clarified that this Court has not examined the case on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

May 22, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No