

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 2165 of 2021

Date of Decision: March 18, 2021

Ishwanti

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTALPresent: Mr. Manoj Makkar, Advocate
for the petitioner**Sudhir Mittal, J. (Oral)**

The grievance of the petitioner is that her request dated 25.02.2019 for permission to rejoin as Anganwari Worker is not being responded to. The petitioner was working as an Anganwari Worker when she was elected as Municipal Councilor on 22.05.2016. Subsequently, she was asked to resign as Anganwari Worker as otherwise her election as Municipal Councilor would be in *jeopardy* on account of holding an office of profit under the Government. The petitioner did not resign but was physically stopped from working as an Anganwari Worker.

It is contended that the job of Anganwari Worker can not be stated to be an office of profit under the Government and, thus, the petitioner is entitled to rejoin as such. Non-decision of her request is causing grave prejudice.

Notice of motion.

Mr. Sanjay Mittal, Addl. A.G. Haryana accepts notice on behalf of the respondents and waives service. He submits that legal notice dated 25.02.2019 (Annexure P-10) shall be decided by the competent authority within a limited time frame and keeping in view the law on the subject. Thus, filing of written statement is dispensed with.

The writ petition is disposed of with a direction to respondent No.2 to decide the pending legal notice dated 25.02.2019 (Annexure P-10) in accordance with law by passing a speaking order within a period of eight weeks from the date of receipt of the certified copy of this order.

March 18, 2021

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No