Sr. No. 17

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP (C) No. 897/2024
CM No. 2193/2024
CM No. 2556/2024

Nazia Koser …Appellant/Petitioner(s)

Through:- Mr. Abrar Ahmed Khan, Advocate.

v/s

U.T of J and K and others …Respondent(s)

Through:-Mr. Ramesh Arora, Sr. AAG.

Coram: HON'BLE MR. JUSTICE VINOD CHATTERJI KOUL, JUDGE

ORDER
13.05.2024

01. Through the medium of the instant petition, the petitioner has challenged the order No. CDPO/Mdr/1149-51/2024 dated 05.03.2024 by virtue of which respondent No.5 and 6 have been selected as Anganwari Helpers for Anganwari Centre for Mohalla Haji Anayat Ullah Mohalla Mardahalan and Mohalla Mughlan for Panchayat Gursai Harmutta Ward No. 1.

02. Learned counsel for the petitioner submits that he had already filed an appeal against the aforesaid selection before the Deputy Commissioner, Poonch but the same has not been decided so far. Petitioner has thus, without waiting for a decision in the appeal, approached this Court through the medium of the instant petition.

03. There is a provision of the appeal to assail the selection in question, which the petitioner had already invoked, therefore, the instant petition would not be maintainable because the appeal filed by him is yet to be decided thus, the instant petition is pre-mature.

04. Learned counsel for the petitioner seeks permission of this Court to withdraw the instant petition with permission to pursue the appeal before the Deputy Commissioner, Poonch and further submits the Deputy Commissioner, Poonch be asked to decide the said appeal expeditiously.

05. Having regard to the submissions made by the learned counsel for the petitioner, the petitioner is permitted to withdraw the instant petition being pre-mature with liberty to pursue the case before the Deputy Commissioner, Poonch where according to him the appeal is pending. In case, appeal filed by the petitioner is pending before the Deputy Commissioner, Poonch, the same shall be considered and decided expeditiously in accordance with law.

06. Therefore, the instant petition is dismissed as withdrawn with liberty as prayed for.

(Vinod Chatterji Koul)
Judge

13.05.2024
Jammu
Renu

Renu Bala
2024.05.14 17:05
I attest to the accuracy and
integrity of this document