

2024:PHHC:020047

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

118

CWP-1664-2024 (O&M)

Date of decision: 13.02.2024

Harpreet Kaur

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Ranbir Singh Sekhon, Advocate for the petitioner.

AMAN CHAUDHARY J.

1. The prayer in the present Civil Writ Petition under Articles 226/227 of the Constitution of India, is to issue a writ in the nature of mandamus directing respondents No.2 and 3 to join the petitioner as Aganwari Worker.

2. Learned counsel would contend that the civil suit filed by one Swarna Rani wherein the petitioner was impleaded as defendant No.4, stood dismissed vide judgment and decree dated 12.07.2023, as such, the petitioner is entitled to be allowed to rejoin as Aganwari Worker. In this regard, a representation dated 23.08.2023 (Annexure P-5), has been submitted by her, which has not yet evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting her an opportunity of hearing.

3. Notice of motion.

4. At the asking of the Court, Mr. Gagneshwar Walia, Addl. AG, Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.

5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider the representation dated 23.08.2023, Annexure P-5 and decide the same, taking note of the judgment of the civil Court as referred to, by the petitioner, within a period of 3 months and if found entitled, necessary benefit be granted forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioner.

13.02.2024
ashok

(AMAN CHAUDHARY)
JUDGE

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