

2024:PHHC:035615
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

127 CWP-5870-2024 (O&M)
Date of decision: 13.03.2024

Akwinder Kaur ..Petitioner

Versus

State of Punjab and others ..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Nitesh Singhi, Advocate for the petitioner.

AMAN CHAUDHARY, J

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari for quashing the impugned order/letter dated 20.10.2023 (Annexure P5).
2. Learned counsel would submit that the petitioner being 33 years old was an aspirant for the post of Anganwari Helper for the village Mehandipur, District Ludhiana, which is under unreserved/open category, the age of the candidates was required to be between 18 and 35, however, respondent No.6 has been appointed against the said post who does not even fall within the said age limit, being 39 years of age. The Child Development and Project Officer, Khanna, vide letter dated 03.10.2023 had objected to it by stating that age relaxation cannot be given to SC/BC candidate for unreserved/open seat. In this regard, the petitioner also submitted objections dated 18.01.2024 (Annexure P6), a reminder thereto dated 20.02.2024 (Annexure P7) and representation dated 29.02.2024 (Annexure P8), which have all yet not 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. Swapan Shorey, DAG, 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 the respondents to decide the representation dated 29.02.2024, Annexure P8, taking into account the pleas of the petitioner raised therein, within a period of 3 months and if found entitled, necessary benefit be granted to her forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating her therewith.

13.03.2024

ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No