

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

139

CWP-6047-2024 (O&M)

Date of decision: 14.03.2024

Bhinder Kaur

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Gopal Singh Nahel, 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 dated 14.07.2023 (Annexure P4).

2. Learned counsel would contend that petitioner who was working as Anganwadi Worker for the last 32 years, is suffering from some mental health ailment and has been under treatment, documents regarding which have been placed on record as Annexure P1 and under the said circumstances, she had submitted a request on 24.06.2023 that she was willing to resign from service. Her extent of ailment is apparent from a subsequent letter written in less than one month i.e. 20.07.2023 (Annexure P3) while her request was accepted though vide order dated 14.07.2023, however, the same was to be effective from 24.07.2023. Medical certificate dated 19.10.2023 (Annexure P5) has also been appended. Vide application dated 20.10.2023 (Annexure P6), she had showed her willingness to rejoin and requested for cancellation of the order accepting her resignation, regarding which even the Child Development Project Officer, Ghanaur, Punjab, vide letter dated 26.10.2023 (Annexure P7) sent to District Program Officer, Patiala, has requested to cancel her resignation and consider her case sympathetically for rejoining, however, no decision thereof has been taken. In this regard, a legal notice dated 20.11.2023 (Annexure P8), has also been served upon the respondents, which has also 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. 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 the respondents to decide the legal notice dated 20.11.2023, Annexure P8 by taking into account the pleas of the petitioner raised therein as also aforesaid submissions and documents, within a period of 3 months and if found entitled, necessary benefit be granted to her forthwith.

14.03.2024

ashok

**(AMAN CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No