

CWP No. 11748 of 2020

2024:PHHC:008860

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(222-A)

CWP No. 11748 of 2020

Date of Decision : 23.01.2024

Manju Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nitin Kant Setia, Advocate for the petitioner.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the services of the petitioner were terminated by the respondents by the impugned order dated 09.09.2019 (Annexure P-2), which order is under challenge in the present petition.

2. Learned counsel for the petitioner submits that one Seema Devi was working as an Anganwari Assistant and she had given resignation after which, the claim of the petitioner was considered for appointment on the said post and she was duly appointed on the said post on 02.04.2018 and continued working on the post in question and the services of the petitioner were terminated on 09.09.2019 (Annexure P-2), which act on the part of the respondents is arbitrary in nature.

3. Upon notice of motion, the respondents have filed the reply, wherein, they have stated that it is a conceded fact that after the

resignation given by the Anganwari Assistant, namely, Seema, petitioner was appointed as Anganwari Helper and she was continuing her said services but Seema challenged the acceptance of her resignation by filing CWP No. 40318 of 2018, wherein, while issuing notice of motion, this Court directed that Seema should be allowed to continue on the post in question hence, as there was only one post, the services of the petitioner had to be terminated so as to comply with the order dated 07.01.2019 passed by this Court in CWP No.. 40318 of 2018.

4. Learned counsel for the petitioner submits that as of now, there are other post of Anganwari Worker where the petitioner can be accommodated and the respondents be directed to consider the claim of the petitioner of accommodating her on any other post of Anganwari Helper, which is lying vacant.

5. Learned counsel for the respondents submits that in case, the petitioner raises any such claim before the authorities concerned by filing appropriate representation, the said claim will be considered keeping in view the facts and circumstances as well as requirement of Anganwari Helper and in case, it is found feasible that petitioner can be adjusted on any other post of Anganwari Helper, which is lying vacant, appropriate relief will be given otherwise, due reasons will be given on the representation filed by the petitioner.

6. Learned counsel for the petitioner submits that keeping in view the said statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any

further with liberty to the petitioner to raise a claim for adjustment on any other post of Anganwari Helper, which is lying vacant in the same District in State of Haryana.

7. Ordered accordingly.

January 23rd, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No