

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

Date of Decision : 06-08-2024

.....Petitioner

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

Present: Mr. Kamal Narula, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the challenge is to the order passed by the respondents dated 28.03.2018 (Annexure P-7) by which, the services of the petitioner as an Anganwari Worker has been dispensed with.

Learned counsel for the petitioner submits that the petitioner was appointed as an Anganwari Worker on 06.03.2018 (Annexure P-1) and thereafter, keeping in view the fact, another candidate namely Charanjit Kaur w/o Darshan Singh has also filed an application that her claim has not been considered as per her entitlement. Later on, the same was considered and it was found that Charanjit Kaur had a better claim than the petitioner and therefore, the services of the petitioner have been terminated.

Learned counsel for the petitioner argues that once the petitioner was appointed, the respondents could not have terminated the services of the petitioner under any circumstances.

Learned counsel for the respondent on the other submits that once, the claim of Charanjit Kaur was not considered as per her entitlement, which grievance of Charanjit Kaur was rectified after reconsideration of her claim, the petitioner becomes lower in merit than Charanjit Kaur, and she has to led way for Charanjit Kaur and by impugned order, the earlier mistake committed of not giving due weightage to the claim of Charanjit Kaur has been rectified and as, Charanjit Kaur is elder in age, she is accommodated in place of the petitioner.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

In the present petition, it is conceded fact that both petitioner and Charanjit Kaur secured equal marks. In order to break a tie, the candidate who is elder in age is given preference over the candidate younger in age. The petitioner is younger in age than Charanjit Kaur. Therefore, Charanjit Kaur has rightly been appointed against one available post of Anganwari Worker. Once, the candidate who has a better claim then the petitioner has been appointed, there was no other option with the respondents but to terminate the services of the petitioner hence, no ground is made out for this Court to interfere in the present petition.

In view of above, the present petition is dismissed.

Pending application, if any, also stands disposed off.

06-08-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO