

2025:PHHC:006569



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

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CWP-25561-2015 (O&M)

Date of decision: 20.01.2025

Harpinder Kaur

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Gurnam Singh, Advocate for the petitioner.

Mr. Swapan Shorey, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition for quashing the impugned order dated 04.11.2015 (Annexure P9).
2. The petitioner is stated to have been appointed as Anganwari Worker being a terrorist victim on 24.07.2015, which was vide impugned order withdrawn.
3. Learned State counsel has referred to para 1 of the preliminary submission raised in the written statement filed as far back on 12.05.2016, to which there is neither any replication filed nor was the learned counsel for the petitioner faced with these facts, able to controvert the same, which read thus:-

“That the case of the respondent is that District Programme Officer, Tarn Taran has given advertisement calling the applications from the candidates for the post of Anganwari Workers. Petitioner along with other candidates applied for the post of Anganwari Worker. As the petitioner mentioned in her application form as Riot Victim, the respondent gave her preference being riot victim and appointed her as Anganwari Worker on the basis of instructions issued by the Punjab Government vide Circular letter No.11/27/94-2PPI/2364, dated 5th February, 1996. Copy of result sheet of the selection is attached herewith as Annexure R-1 and instructions are attached as Annexure R2. It is pertinent to mention here that the wife of the deceased namely Dheero has already obtained the job on compassionate ground after the death of her husband Pargat Singh being riot victim. However, it is further

made clear that the marriage of the petitioner with the son of Late Pargat Singh taken place many years after the death of Pargat Singh. Consequently by no stretch of imagination she can be the dependent/legal heir of late Pargat Singh. Copy of the appointment letter of Dheero is attached herewith as Annexure P3. Hence, the instant writ petition is liable to be dismissed on this short score as the petitioner has suppressed this material fact from this Hon'ble Court."

4. The aforesaid having been concealed in the present petition, the petitioner is not entitled to any relief as held by Hon'ble the Supreme Court in **Kishore Samrite v. State of U.P¹**, that while approaching the court, a litigant must state correct facts and come with clean hands. A petition containing misleading and inaccurate statements, if filed, to achieve an ulterior purpose amounts to abuse of the process of the court. A litigant is bound to make "full and true disclosure of facts. The person seeking equity must do equity. It is not just the clean hands, but also clean mind, clean heart and clean objective that are the equi-fundamentals of judicious litigation.

5. The impugned order clearly reveals that various notices having been issued to the petitioner, which were neither responded by her nor did she attend the hearing granted to her, besides which, it could not even been demonstrated that once the wife of the deceased i.e. the mother-in-law of the petitioner, the benefit of being riot/terrorist affected family granted and appointed, the petitioner, who married son of the deceased after many years of his passing away, that too without having established herself to be the dependent/ legal heir of late Pargat Singh, as has been stated in para 1 of the preliminary submission.

6. In view of the above, the present petition is hereby dismissed.

20.01.2025
ashok

(AMAN CHAUDHARY)
JUDGE

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

¹ (2013) 2 SCC 398