Serial No. 21.
Regular Cause List.

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

****

SWP 2119/2014 .

ZUBEEDA BEGUM.

…Petitioner (s)

Through: Mr. Sheikh Manzoor, Advocate.

VERSUS

STATE OF JK AND OTHERS.

Through: Mr. T.A. Lone, Dy. AG for R- 1 to 4.
Mr. Bilal Ahmad Malla, Advocate for R-5.

…Respondent(s)

CORAM:
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE.

ORDER

29-10-2026

01. In terms of the Advertisement Notice dated 16.08.2014, the applications came to be notified from the eligible candidates for engagement as Anganwadi Workers on honorarium basis for the various Anganwadi Centres in the concerned hamlets/location of ICDS Project Kralpora which included Nalla (ST), Nalla Halqa Mandiyan with name of hamlet as Nalla (ST).

02. The petitioner and private respondent No. 5 participated in the selection process for the post of Anganwadi Worker at Anganwadi Centre, at Nala. ST Mudiyan (Keran). Private respondent No. 5 came to be tentatively selected for the aforesaid post. The selection list was opposed by the petitioner by filing objections with regard to the residential status of private

respondent No.5 in the village for which the post of Anganwadi Worker had been advertised.

03. Notwithstanding the objections raised by the petitioner, the official respondents selected and engaged private respondent No. 5 in terms of Order dated 8th September 2014, issued by the Child Development Project Officer (CDPO), ICDS Project, Kralpora.

04. The petitioner has assailed the said order primarily on the ground that private respondent No. 5 is not a resident of village Nala ST, Hamlet/village Mudiyan (Keran). To double down her contention, the petitioner has relied upon the report of the concerned Supervisor, who was deputed to ascertain the residential status of the petitioner and private respondent No. 5. The said report, inter alia, provides that private respondent No. 5 is not a resident of the said hamlet but is resident of same village Mandiyan (Keran).

05. Though the respondents have filed their response, however, during the course of arguments, both the contesting parties have consented to the disposal of the present petition in terms of the following directions:-

a. The Deputy Commissioner, Kupwara, shall determine the residential status of private respondent No. 5 in accordance with the conditions stipulated in the advertisement notice dated 16th August 2014, after affording due opportunity of hearing to both the contesting parties.

b. In the event the Deputy Commissioner, Kupwara, finds that private respondent No. 5 does not fulfil the eligibility criteria for engagement as Anganwadi Worker at

the concerned Anganwadi Centre, on account of not being a resident of the hamlet for which the post was advertised, the Deputy Commissioner, being the appellate authority, shall issue appropriate directions to respondent No. 3, who shall, issue necessary directions to respondent No. 4 for engaging the petitioner, provided there is no other legal impediment.

c. Till the aforesaid directions are complied by the Deputy Commissioner, Kupwara, private respondent No. 5 shall continue to work as Anganwadi Worker and draw the remuneration/wages.

06. The petition is, accordingly, disposed of.

07. A copy of this order shall be provided to the Deputy Commissioner, Kupwara, for information and compliance.

(Rajnesh Oswal)
Judge

SRINAGAR
29-10-2026
Showkat Khan

HIGH COURT
JAMMU & KASHMIR AND LADAKH