

CWP-11991 of 2026

2026.PHHC.085418



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

CWP-11991 of 2026

Date of decision: 29.04.2026

Rajvir Kaur

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Ankush Singla, Advocate, and
Mrs. Parul Sarvar, Advocate,
for the petitioner.

Mr. Swapan Shorey, DAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. On the last date of hearing i.e. 22.04.2026, the following order was passed by this Court: -

“Instant petition has been filed under Article 226 of the Constitution of India for directing the respondents to permit the petitioner to join and continue to discharge her duties as Anganwadi Helper, from which she is being restrained merely because the petitioner has been elected as a member of Block Samiti, Zone Ghunas, District Barnala, on the ticket of opposite party and the respondents are compelling the petitioner to choose between either being Anganwadi Helper or elected member of Block Samiti and for quashing the letter dated 24.12.2025 (Annexure P-1), letter dated 26.12.2025 (Annexure P-1/A) and letter dated 30.12.2025 (Annexure P-2), vide which the

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petitioner has been asked to choose being either Anganwadi Helper or elected member of Block Samiti.

*Learned counsel for the petitioner submits that the petitioner is working as Anganwadi Helper since 21.12.2009 and has been elected as member, Block Samiti on 17.12.2025. She has been directed to choose between her service as Anganwadi Helper or member of Block Samiti, vide letters dated 24.12.2025 and 30.12.2025 (Annexures P-1 and P-2) to which the petitioner has submitted detailed replies dated 06.01.2026 and 05.02.2026 (Annexures P-3 and P-4) but despite that she is not being allowed to perform her duties as Anganwadi Helper. He further submits that there is no bar for the Anganwadi Workers to contest the election of Block Samiti in view of the Division Bench judgment of this Court in **Anokh Singh v. Punjab State Election Commission, Chandigarh, 2009(1) RCR (Civil) 898.***

On receipt of advance copy of the paperbook, learned State counsel seeks time to get instructions.

Adjourned to 29.4.2026."

2. In pursuance to the order dated 22.04.2026, learned State counsel has produced a copy of the instructions dated 30.12.2025 and Division Bench judgment dated 01.12.2022 passed in LPA-384 of 2018 – Manju Devi v. State of Haryana & others and other connected cases, which are taken on record. He submits that in terms of Part-VIII Para (vii) of the said instructions, Anganwadi Worker/Helper may participate in Panchayat Elections/Municipal Elections while working as Worker/Helper, however, after taking oath as Panch/Sarpanch/Councillor she shall have to resign from the post of

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Anganwadi Worker/Helper and upon submission of such resignation, she shall be entitled to the benefits/ex-gratia as prescribed by the Department of Social Security and Women and Child Development vide instructions dated 11.10.2018 and in case the concerned Anganwardi Worker/Helper does not submit her resignation, the concerned Child Development Project Officer shall terminate her services with immediate effect and the Anganwadi Worker/Helper shall not be entitled to any financial benefits.

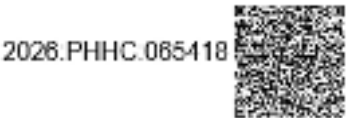
3. Learned counsel for the petitioner submits that for redressal of her grievance, the petitioner has moved a representation dated 05.02.2026 (Annexure P-4) to the respondents, however, the same is still pending consideration. Learned counsel for the petitioner confines his prayer for deciding representation dated 05.02.2026 (Annexure P-4) and submits that at this stage, petitioner would be satisfied, if the said representation is considered and disposed of by passing a speaking order in a time-bound frame.

4. Mr. Swapan Shorey, DAG, Punjab, who has appeared on receipt of advance copy of the paperbook, has no objection to the innocuous prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.2 is directed to consider and decide the claim made by

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the petitioner in the representation dated 05.02.2026 (Annexure P-4) in accordance with law, by passing a speaking order within a period of one month from the date of receipt of certified copy of this order.

7. The petition stands disposed of.

29.04.2026
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No