

2026:PHHC:072370



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

**CWP-14257-2026
DECIDED ON: 08.05.2026**

KAUSHALYA DEVI**.....PETITIONER(S)****VERSUS****STATE OF HARYANA AND OTHERS****.....RESPONDENT(S)****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Vicky Chauhan, Advocate and
Mr. Anil Kumar Chauhan, Advocate
for the petitioner(s)

SANDEEP MOUDGIL, J (ORAL)**Prayer**

1. The jurisdiction of this Court has been invoked under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the impugned termination order dated 20.05.2025 (Annexure P-3) and letter dated 11.03.2026 (Annexure P-8) issued by respondents.

Facts

2. The facts of the present case are that the petitioner, who had been serving as an Anganwadi Worker since the year 1988 at Village Bagwala, Block Raipur Rani, District Panchkula, was issued a show cause notice dated 30.04.2025 (Annexure P-1) alleging that she had failed to report the death of one pregnant woman namely Smt. Manpreet Kaur, who allegedly died on 01.04.2025 during pregnancy. The petitioner submitted a reply explaining that she had visited the

house of the deceased in February and March, 2025, however, neither the deceased nor her family disclosed the factum of pregnancy. It was further stated that during the relevant period, the petitioner was also facing personal hardship owing to the demise of her mother.

3. Despite the said explanation, the services of the petitioner were terminated vide order dated 20.05.2025 (Annexure P-3). Thereafter, the petitioner submitted various representations seeking reinstatement and also appeared in inquiry proceedings conducted by the authorities. However, vide communication dated 11.03.2026 (Annexure P-8), the respondents upheld the termination order.

4. Aggrieved against the aforesaid orders, the present writ petition has been filed seeking quashing of the termination order dated 20.05.2025 and the subsequent communication dated 11.03.2026 along with consequential benefits.

Contentions:

5. Learned counsel for the petitioner contends that the impugned orders are arbitrary, non-speaking and violative of the principles of natural justice, as the detailed explanation submitted by the petitioner was not properly considered. It is argued that there is no cogent or legally admissible evidence to establish that the petitioner had prior knowledge of the pregnancy of the deceased or that she had intentionally concealed the same.

6. Counsel further submits that the deceased and her family themselves concealed the pregnancy and, therefore, the petitioner cannot be fastened with strict liability. It is also contended that matters relating to pregnancy registration and medical monitoring primarily fall within the domain of the Health Department and ASHA workers and no material such as ultrasound report or postmortem report was produced to substantiate the allegations. Learned counsel further argues that the petitioner had rendered about 37 years of unblemished service and the

extreme punishment of termination is wholly disproportionate to the alleged lapse. It is additionally submitted that another similarly situated employee namely Sonia, MPHWS, was reinstated whereas the petitioner has been subjected to discriminatory treatment.

7. Ms. Mayuri Lakhanpal Kalia, DAG Haryana, having been served with an advance copy of the petition, while accepting notice on behalf of the respondents, has produced a copy of inquiry report dated 13.05.2025, which is taken on record as document 'A'. A copy of the same has been furnished to the counsel opposite. In support of this document, learned State counsel submits that after due inquiry, the petitioner was found to be negligent and only then her services were terminated.

Analysis

8. After considering the rival submissions and perusing the record, this Court finds no merit in the present writ petition. The admitted factual position is that the petitioner was working as an Anganwadi Worker in the concerned area since the year 1988 and was entrusted with the responsibility of identifying, monitoring and ensuring care of pregnant women under various welfare schemes including the "Beti Bachao Beti Padhao" programme. The material placed on record reveals that one Smt. Manpreet Kaur died during 32 weeks of pregnancy and, consequently, the unborn child also could not survive. Thus, the incident in question is not merely a case of maternal death but also involves the loss of a newborn life.

9. The petitioner has alleged violation of principles natural justice and failure of consideration of the explanation furnished by him. However, the record further reflects that a show cause notice dated 30.04.2025 was issued to the

petitioner specifically alleging failure to report and monitor the pregnancy of the deceased woman. The petitioner was afforded adequate opportunity to submit her reply and to participate in the inquiry proceedings. The inquiry report dated 13.05.2025, produced before this Court, records a finding of negligence against the petitioner, which can be perused as under:

“It is also observed that despite, all the orders given by Head office from time to time and awareness under BBBP programmes and knowing very well that the women having the only girl child /children need to be under the strict supervision for further pregnancy, She failed to Identify and register the pregnant woman that represents a lapse under the Beti Bachao Beti Padhao Programme and raises serious concern by the front line Worker.

Therefore, it is requested that the matter may kindly be reviewed at the state level and suitable directions may be issued regarding action to be taken against AWW.”

Thereafter, the competent authority passed the termination order dated 20.05.2025(Annexure P-3), which was subsequently reaffirmed vide communication dated 11.03.2026 (Annexure P-8) after consideration of the petitioner’s representations. Therefore, it cannot be said that the impugned action has been taken in violation of the principles of natural justice.

10. Another argument raised by the petitioner that neither the deceased nor her family disclosed the pregnancy does not inspire confidence in the facts and circumstances of the present case. An Anganwadi Worker is expected to maintain continuous contact with women in her area and to remain vigilant regarding pregnancies, particularly in rural areas where institutional reporting may be limited. The very object of the welfare schemes implemented through Anganwadi Centres is to ensure timely identification and monitoring of pregnant women so as to avoid maternal and infant mortality. In the case at hand, the deceased woman

was 32 weeks pregnant and in view of the facts and circumstances of the case and the specific responsibilities attached with the post of an Anganwadi Worker, this court is unable to assume that the petitioner can be absolved merely because she was unaware of the pregnancy of the deceased.

11. This Court can also not overlook the fact that the authorities, after examining all relevant facts and documents during the meeting, found that serious negligence had been committed by the petitioner in discharge of her official duties and that she had failed to perform the responsibility entrusted to her with the required devotion and accountability.

12. The contention that the Health Department or ASHA workers were primarily responsible for pregnancy registration also cannot absolve the petitioner of her independent responsibility attached to the post of Anganwadi Worker. The departmental authorities were justified in concluding that there was failure on the part of the petitioner in necessary monitoring and reporting mechanisms.

13. The argument regarding absence of ultrasound report or postmortem report is also devoid of merit, inasmuch as the core issue before the authorities was not determination of medical cause of death but the failure of the petitioner to identify and monitor the pregnancy despite being responsible for the area concerned. The inquiry having established negligence in performance of official duties, this Court finds no reason to interfere with the conclusion arrived at by the competent authority.

14. This Court, while exercising jurisdiction under Article 226 of the Constitution of India, does not sit as an appellate authority over findings recorded in a departmental inquiry unless the same are shown to be perverse, arbitrary or unsupported by any material on record. In the considered view of this Court, the

petitioner has failed to demonstrate as to how the principle of natural justice in the present case have been violated as the petitioner was extended due opportunity of hearing upon issuance of show cause notice and her services were terminated only after due inquiry conducted by the authorities.

15. Thus, the respondents did not commit any error while issuing the impugned termination order dated 20.05.2025 (Annexure P-3) and the communication dated 11.03.2026 (Annexure P-8), so as to warran interefernce by this Court.

16. Consequently, the Court does not find any substance in the petition and accordingly, the same stands dismissed.

08.05.2026
Meenu

(SANDEEP MOUDGIL)
JUDGE

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