



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

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CWP-16973-2026

Date of decision : 26.05.2026

Simarjit Kaur

....Petitioner

V/S

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. H.S. Saini, Advocate for
Mr. Onkar Rai, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant petition under Articles 226/227 of the Constitution of India, seeking issuance of a writ of mandamus directing respondent No.6 to conduct a fact finding enquiry on the complaint dated 05.03.2025 (Annexure P-6) as till date no action has been taken against respondent No.9 and she is still working as Anganwadi Worker/Teacher on fake certificates. Further, direction may be issued to respondents No.1 & 2 to fix the responsibility of the officer who has verified the certificates of respondent No.9 and also take action against the erring officer.

2. On receipt of advance copy of the petition, Mr. Swapan Shorey, D.A.G., Punjab has put in appearance on behalf of respondents No.1 to 8 and submits that the petitioner has earlier approached this Court by filing *CWP No.6197 of 2026 titled as 'Simarjit Kaur Vs. State of Punjab and others'* claiming the same relief as claimed in the instant petition and the same was dismissed, vide order dated 27.02.2026, which reads as under :-

"1. This petition has been filed, inter alia, for issuance of a writ, in the nature of mandamus, for directing official respondents No.1 and 2 to conduct an enquiry into the allegation levelled by the petitioner in complaint, dated 09.10.2025, Annexure P-1, against respondent No.5, who is working as an Anganwadi worker.



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2. Counsel for the petitioner asserts that respondent No.5 is petitioner's sibling and she has secured the job of Anganwadi worker-cum-Teacher on the basis of a fake Matriculation Certificate. Counsel points out that petitioner has sent complaints, Annexures P-1 to P-3, to the respondent-authorities for verification of the Matriculation Certificate, but they have not been acted upon. Counsel claims that respondent No.5 cannot continue with the employment as she has played fraud with the authorities.

3. At the outset, counsel for the petitioner has been questioned as to whether the post held by respondent No.5 is a civil post. Counsel is not in a position to answer this query.

4. In **State of Karnataka and others Versus Ameerbi and others, (2007) 11 SCC 681**, Hon'ble Supreme Court held that a person working as an Anganwadi worker does not hold a civil post and the recruitment process is not governed by the Constitution or any statute. Following the said judgment, a Division Bench of this Court in **Darshana Devi Versus State of Haryana and others, Law Finder Doc ID #1228735** held that the employment offered to an Anganwadi worker is under the scheme of Women and Child Development through Integrated Child Development Services (ICDS) Cell. State has been made as a party-respondent, since the appointment is offered under ICDS Programme, but an Anganwadi worker does not hold a civil post and authorities are not instrumentalities of the State, which are amenable to writ jurisdiction under Article 226 of the Constitution of India.

5. For the afore-going reason, writ petition cannot be entertained and is dismissed as such, leaving the petitioner to take recourse to any other remedy available to him in accordance with law."

3. Faced with this situation, learned counsel for the petitioner wishes to withdraw the present petition.

4. Dismissed as withdrawn.

26.05.2026

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No