

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

SWP No. 2864/2016
MP No. 01/2016

Date of decision:-29/12/2016

Zarina Akhter.	Vs.	State of J&K and ors.
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Coram:

Hon'ble Mr. Justice Ramalingam Sudhakar, Judge

Appearing counsel:

For the Petitioner (s)	:	Mr. N.D.Qazi, Advocate.
For the respondent(s)	:	Mr. O.P.Thakur, Advocate for R-4.

i) Whether approved for reporting in NET.	Yes.
ii) Whether approved for reporting in Digest/Journal.	No.

1. The petitioner has filed the writ petition for the following relief:-

“i) Commanding upon the respondents to consider the case of the petitioner for her engagement as Anganwari Helper in Anganwari Centre Kunalian, Panchayat Kindli of ICDS Project Lohai Malhar by issuing an engagement order, in view of the disengagement of the private respondent No. 4 who on enquiry was found to have procured/prepared a forged 8th class certificate keeping in view the law laid down by the Hon'ble Division Bench in LPA (SW) No. 204/2001 titled Union of India and ors V/s Sarla Kour.

ii) Commanding upon the respondents to grant retrospective effect from the date the private respondent has been engaged and the petitioner has been deprived of the engagement as Anganwari Helper in Anganwari Centre Kunalian, Panchayat Kindli of ICDS Project Lohai Malhar along with consequential benefits..

iii) Any other writ, order, command or directions which this Hon'ble Court may deem just and proper in the given facts and circumstances of the case may also be passed in favour of petitioner and against the respondents.”

2. The case of the petitioner is that private respondent No. 4 has been disengaged as Anganwari Helper in proceedings dated 6.02.2015 (Annexure-F, Page 17 of the writ petition). Therefore, being next eligible candidate, the petitioner has given a representation dated 19.08.2015 (Annexure-G Page 17A-17-C of the writ petition) but the respondents have not considered the representation of the petitioner.

3. In view of the above, the writ petition is disposed of with a direction to the petitioner to submit a copy of the said representation

along with copy of this order to the respondents so as to enable them to accord consideration at the earliest.

4. Writ petition is disposed of as above.

(Ramalingam Sudhakar)
Judge

Jammu,
29.12.2016
Tilak, Secy.

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