

**HIGH COURT OF TRIPURA
AGARTALA
WP(C)No.527 of 2022**

For Petitioner(s)	: Mr. R. Datta, Adv.
For Respondent(s)	: Mr. B. Majumder, Asst. S.G. Mr. K. De, Addl. G.A.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Order

30/06/2022

Heard Mr. R. Datta, learned counsel appearing for the petitioner as well as Mr. K. De, learned Addl. G.A. appearing for the respondents No.1 to 6 and Mr. B. Majumder, learned Asst. S.G. appearing for the respondent No.7.

2. By means of this writ petition, the petitioner has urged this court for directing the State respondents to allow her to continue in the service in the post of Anganwadi Worker (AWW) till she attained the age of 65 years.

3. It is an admitted fact that the Ministry of Women and Child Development, Government of India after consultations with all the States decided that the maximum age limit for discontinuation of service to the post of AWW/AWH is 65 years and even most of the States on the basis of the said order the age of disengagement of AWW/AWH is fixed at 65 years but the State respondents without considering the guidelines of the Ministry of Women and Child Development, Government of India fixed the maximum age of disengagement of AWW/AWH at 60 years, Even some of them discontinued from their services after attaining more than 66 years of age but in the case of the petitioner, the State respondents issued a memo of disengagement dated 09.06.2022 where it has been stated that on attaining the age of 60 years, the

service of the petitioner in the post of Aganwadi Worker will be treated as released from establishment w.e.f.30.06.2022. which is a gross violation of the memorandum issued by the Government of India as well as Article 14 of the Constitution. Hence, the present writ petition.

4. Mr. R. Datta, learned counsel appearing for the petitioner submitted that the scheme issued by the Central Government in the year 2012 has clearly stated that all the State Government to fix upper age limit for superannuation of AWW/AWH at 65 years but unfortunately the State respondents did not consider the same in the case of the petitioner.

5. Mr. Datta, learned counsel has further submitted that the State Government are duty bound to accept the proposal of the Central Government.

6. Thus, the respondent No.2 is directed to consider the case of the petitioner and to provide all benefits in favour of the petitioner in accordance with the scheme issued by the Central Government within a period of two weeks from today from the date of receipt of a copy of this order.

In the result, this writ petition is disposed of.

JUDGE