

(2011) 04 SHI CK 0150
In the High Court Of Himachal Pradesh
Case No : CWP (T) No. 12285 of 2008

Bhagheshwari Devi

APPELLANT

Vs

State of Himachal Pradesh and Others

RESPONDENT

Date of Decision : 01-04-2011

Acts Referred:

Citation : (2011) 04 SHI CK 0150

Hon'ble Judges : Rajiv Sharma, J

Bench : Single Bench

Judgement

Rajiv Sharma, J.—In sequel to order dated 23.2.2011, supplementary affidavit has been filed by the Director, Social Justice and Empowerment, Himachal Pradesh.

2. According to the supplementary affidavit, the learned Tribunal had directed the Respondent-department to interview the ineligible candidates who had not put in 5 years experience as Anganwadi Workers, in O.A. No. 127 of 2003 by way of interim order. This O.A. No. 127 of 2003 was dismissed as withdrawn on 20.9.2006. However, the Respondent- department had permitted 556 ineligible candidates on provisional basis to participate in the selection process. This Court in CWP No. 725 of 2005 on 31.8.2005 had directed the Respondent-department not to appoint any ineligible person against the post of Supervisor in the Social Justice and Rights Department of the State Government till further orders. Three similar petitions, i.e. CWP(T) No. 9214 of 2008, CWP(T) No. 9198 of 2008 and CWP (T) No. 12569 of 2008 were dismissed by this Court on 25.11.2009 and 21.2.2011 respectively.

3. The Court is of the considered view that only those candidates could be considered for appointment/promotion to the post of Supervisor who had acquired 5 years experience as Anganwadi Workers. In view of this, these 556 candidates who were not eligible could not be considered even provisionally for appointment to the post of Supervisors. This Court in CWP (T) No. 9214 of 2008, CWP (T) No. 9198 of 2008 and 12569 of 2008 has upheld the imposition of 5

years experience to be possessed by the Anganwadi Workers to be appointed as Supervisor.

4. Consequently, in view of the observations and discussion made hereinabove, the present petition is disposed of with a direction to the Respondents to consider and restrict the appointment to only eligible candidates for the post of Supervisor and 556 ineligible candidates shall not be offered any appointment letters. Needful be done within a period of two months after the production of certified copy of this judgment. The pending application(s), if any, also stands disposed of. No costs.