

**Bhanti Devi Vs. State of H.P. and Ors.**

**CWP No. 4464 of 2015**

**08.05.2026Present:** Mr. Kulbir Thakur, Advocate, vice Mr. Ramesh Sharma, Advocate, for the petitioner.

Mr. P.K. Nadda, Additional Advocate General, for respondents No. 1 to 4-State.

Respondent No. 5 already *ex parte* vide order dated 11.01.2017.

At this stage, without going into the merits of the matter, the case records reveals that the petitioner was selected as an Anganwari Worker in Mini Anganwari Centre, Kasani, Gram Panchayat Moda, Tehsil Salooni, District Chamba (HP) on 16.04.2013, by producing the Schedule Tribe certificate dated 06.11.2000, which stood cancelled by Executive Magistrate on 16.02.2013 (Annexure R-I). Based on this, respondent No. 5 filed an appeal before the Deputy Commissioner, Chamba(H.P.), which was accepted on 23.12.2004 (Annexure P-7), setting aside the appointment of the petitioner.

2. Feeling aggrieved, the petitioner filed Civil Writ Petition No. 878 of 2015, and the same was

disposed off on 26.08.2015 (Annexure-3), with a direction to the petitioner to approach the Respondent No.2 to consider her case for appointment as an Anganwari Worker on other stations, which are lying vacant. The representation submitted by petitioner in terms of the directions passed by this Court in CWP No. 878 of 2015, was rejected by Respondent No. 2 on 10.12.2015 (Annexure R-II), on the ground that no post of Anganwari Worker was vacant at present and it is not possible to consider the prayer of the petitioner for appointment or adjustment in any other Anganwari Centers.

3. The aforesaid rejection orders dated 10.12.2015(Annexure R-2), were assailed by the petitioner, in instant Writ Petition i.e. CWP No. 4464 of 2015, in which, the Hon'ble Division Bench of this Court, passed an order on 21.11.2015, which reads as under:-

**CMP No.11669 of 2015.**

*Allowed and disposed of.*

**CWP No.4464 of 2015 & CMP No.11671 of 2015.**

*Notice. Mr. J.K.Verma, learned Deputy Advocate General, appears and waives service of notice on behalf of respondents No.1 to 4. He prays for and is*

*granted six weeks time to file reply on behalf of respondents No.1 to 4. Notice shall also go to respondent No.5 separately.*

***Till further orders, the services of the petitioner shall not be terminated.***

*Copy 'dasti'."*

4. Material on record indicates that Respondent No.5 has already been proceeded *ex parte* vide orders dated 11.01.2017. She has not joined the proceedings thereafter.

5. On query by this Court, Learned State Counsel informs this Court, that petitioner is still continuing as Anganwari Worker in Anganwari Center, Kasani, Gram Panchayat Moda, Tehsil Salooni, District Chamba (HP) pursuant to interim orders passed by this Court on 21.11.2015 till date. More than ten years have passed, since the passing of interim orders and the petitioner is continuing as such till day.

6. Without going into the merits and the rival claims and contentions, this Court directs the Learned State Counsel to have Instructions, as to whether in peculiar facts of this case, the petitioner can be permitted to continue in service, being in service for last more than 13 years, now.

7. Necessary Instructions be furnished, within three weeks.

List on **05.06.2026**.

**(Ranjan Sharma)**  
**Judge**

**8<sup>th</sup> May, 2026**  
*(sushma)*