



2025:HHC:37093

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.8054 of 2023

Decided on: 06.11.2025

Jyoti Devi

.....**Petitioner**

Versus

State of H.P. and Ors

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Arun Sehgal, Advocate.

For the Respondents: Mr. L.N.Sharma, Additional Advocate
General for respondents No.1 to 4.

Respondent No.5 ex-parte.

None for respondent No.6.

Jyotsna Rewal Dua, Judge

Petitioner feels aggrieved against the order dated 05.10.2023, passed by respondent No.2-Additional Deputy Commissioner Bilaspur, H.P. setting aside her selection and appointment as Anganwari Worker at Anganwari Center, Chuwari, Tehsil Ghumarwin, District Bilaspur, H.P. Pursuant to interim order dated 20.10.2023 passed in this

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.



petition, petitioner is continuing to serve as Anganwari Worker.

2. Heard and considered the case file.

3(i) Petitioner, respondents No.5 and 6 applied for the post of Anganwari Worker, advertised by the respondent-State at the aforesaid Anganwari Centre. Petitioner emerged successful. She was accordingly, appointed as such on 23.08.2021.

3(ii). Petitioner's selection and appointment as Anganwari Worker was assailed by respondent No.5 by preferring appeal under Clause 12 of the applicable Anganwari Scheme before respondent No.2.

The case set up by respondent No.5 before respondent No.2 was that petitioner's husband was working in the Electricity Department at its Sub-division Ghumarwin for more than seven years and was in receipt of Rs.8,000/- per month as salary. Therefore, income certificate dated 16.09.2020, issued by Tehsildar Ghumarwin in favour of the petitioner was wrong and false.

3(iii) Above allegations of respondent No.5 were repelled by the petitioner, inter-alia, pleading that her husband was a labourer and was doing part time job under a Contractor; Information furnished by the petitioner was



correct; The income certificate issued to her by the Tehsildar Ghumarwin was also in order.

3(iv) The matter was heard by respondent No.2. While passing the impugned order on 05.10.2023 setting aside selection and appointment of the petitioner as Anganwari Worker, respondent No.2, after noticing the pleadings of the respective parties, found merit in the allegations levelled by respondent No.5 about income certificate issued to the petitioner being false for the reason that *“Based on the record on file, I find that the appellant's averment regarding false income certificate has merit because the Tehsildar Ghumarwin intimated that wrong information supplied by Smt. Jyoti Devi while she has applied for the income certificate in declaration form at Sr. No. 4 she stated that no family member in Govt or Semi Govt service, at Sr. No. 5 she has stated that only Rs. 25000/- per annum incomr of her family. However her husband was getting Rs. 275x30= Rs. 8250/- per month. She has concealed this information knowingly. Hence due to wrong declaration, she has succeeded to get low income certificate of Rs. 35000/- per annum. This court, therefore, admit the contention.”*



4. Respondent No.2 has quashed and set aside petitioner's appointment as Anganwari worker only for the reason that Tehsildar Ghumarwin had statedly intimated about information supplied by the petitioner to him, while applying for income certificate, being incorrect; Petitioner had incorrectly stated at the time of procuring the income certificate about no member of her family being in government or semi-government service; Petitioner's husband was getting Rs.8250/- per month.

The impugned order does not even specify as to whether the above report of Tehsildar Ghumarwin was accepted by the Deputy Commissioner, whether it was put to the affected parties, whether income certificate of the petitioner was even cancelled by the competent authority, whether petitioner was given due opportunity to defend her income certificate before the concerned Tehsildar or respondent No.2. All these questions were required to be looked into by respondent No.2 while allowing the appeal preferred by respondent No.5. Principles of natural justice have not been adhered to while passing the impugned order. Appeal preferred by respondent No.5 has not been decided in accordance with law.



For that reason alone, the impugned order dated 05.10.2023 (Annexure P-3) is quashed and set aside with direction to respondent No.2 to decide the appeal preferred by respondent No.5 afresh in accordance with law. Parties through their learned counsel are directed to appear before the Deputy Commissioner, Bilaspur, on **10.12.2025**.

Pending miscellaneous application(s), if any, also to stand disposed of.

November 6, 2025
R.Atal

Jyotsna Rewal Dua
Judge