

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CPSW No.586/2017 in
CCP(S) No.74/2021

Zunera Shakeel and ors.

.... Petitioner/Appellant(s)

Through:- Mr. R.K.S.Thakur, Adv. with
Ms. Anandita Thakur, Adv.

V/s

A.K.Pandita and ors.

.....Respondent(s)

Through:- None.

CORAM : HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE
ORDER

CPSW No.586/2017

01. This contempt petition was filed by the petitioners seeking implementation of the judgment dated 15.03.2017 passed in SWP No. 63/2010. The writ petition was disposed of by directing as under:-

16. Now, the question is what is now to be done by the respondents authorities. The respondents authorities in effect shall direct the constituted Select Committee to ascertain as to whether they have followed the procedure and notified criteria while awarding marks to the candidates during the course of the interview, if yes, then they have to proceed further on that basis, otherwise they shall hold the interview afresh of all such candidates.

17. While proceedings further in pursuant to the process of selection initiated vide advertisement notice of 2008, the constituted committee shall strictly adhere to the norms, criteria and the object of the scheme and to finalize the process of selection within a period of two months.

02. Mr. Thakur, learned counsel appearing on behalf of the petitioners, submits that District Programme Officer, ICDS Project Ramban has issued appointment order to 10 candidates who were the petitioners in SWP No. 63/2010 but have not issued the same in favour of the petitioners herein.

03. Mr. Kotwal, learned Dy.A.G. has filed the statement of facts on behalf of the respondents and stated that as per the norms of the ICDS the

candidates should be residing in the area where she is to be appointed/engaged as Anganwadi Worker but all the petitioners have been married outside the wards, villages, therefore, their claim for engagement was not to accepted.

04. Vide order dated 31.12.2019, the respondents were directed to place on record the tabulation of residence of the petitioners, the date of the advertisement, the date of selection and also the date on which they have changed their addresses.

05. All the petitioners were appointed pursuant to Advertisement Notice dated 28.04.2008 on 07.08.2008. The change in their address occurred after 2012. In terms of the impugned judgment, the terms and conditions existing on the cutoff date of the advertisement notice has to be followed, if the petitioners fulfilled the criteria then they were to be considered only. It appears that the respondents have not complied with the judgment.

05. In view of the aforesaid, judgment 15.03.2017 is required to be complied in letter and spirit. Let a compliance report be filed by the next date.

06. List along with CPSW No.120/2019.

CCP(S) No.74/2021

Learned counsel for the petitioner seeks and is granted time to file response to the statement of facts.

List on 20.04.2022.

(Sindhu Sharma)
Judge