



In the Court of Additional Commissioner, Jammu  
(With the powers of Divisional Commissioner)  
(Rail Head Complex, Jammu)

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File No.	Date of Institution	Date of Decision
48/Revision	27/07/2017	10.06.2021

**Neelofar W/o Maneer Mohd.**  
**R/o Christian Colony,**  
**Tehsil Pouni District Reasi**

.....Petitioner

**Versus**

- 1. Deputy Commissioner, Reasi**
- 2. CDPO Pouni.**
- 3. Jaspreet Kour D/o Surjeet Singh**  
**W/o Sh. Mohinder Paul Singh**  
**R/o Village Kheralair of Panchayat Kheralair,**  
**Tehsil Pouni, District Reasi.**

.....Respondents

**In the matter of: Revision Petition against the order dated 15.07.2017 passed by respondent No. 1, in case file No. 15/DC/Rsi/Aug and given on 25.07.2017. Prayer for setting aside the same.**

**ORDER**

Present case has been transferred to this court by the Ld. Divisional Commissioner, Jammu for disposal under law. The main facts of the revision petition are that on 26.06.2010 an advertisement notice inviting application forms from the eligible candidates for the post of Anganwari worker for Anganwari Centre, Christian Colony W.No. 4 Tehsil Pouni District Reasi was issued by Respondent No. 2. Being eligible the petitioner alongwith other four candidates applied for the same. As per the advertisement notification, proof of residence of concerned Hamlet issued by the competent authority (concerned Tehsildar/Naib-Tehsildar) was required. The petitioner pleaded that she has attached the certificate issued by concerned Naib Tehsildar alongwith her application form, but no such certificate was produced by the other four candidates. The petitioner alleged to have made a complaint about the residential status of the other four candidates before respondent No. 2. The petitioner further pleaded that as per Divisional Commissioner Jammu's letter No. 101/2746/2010/1764-75 dated 21.07.2013 necessary information / clarification regarding Hamlet can be obtained from concerned Tehsildar for selection to the post of Anganwari workers / Helpers. Both petitioner as well as private respondent No. 3 are the residents of ward No. 4 Nai Basti but Ward No. 4 consists of Hamlets / Mohallas namely Ishar Singh

*Re*

Mohalla, Mian Singh Mohalla, Gurucharan Singh Mohalla, Gurumukh Singh Mohalla, Batla and Christian Colony. The petitioner is resident of Christian Colony whereas private respondent No. 3 is the resident of Mian Singh Mohalla.

The petitioner aggrieved of the order impugned dated 15.07.2017 challenged the same before this court on the ground; that the Impugned order is bad in the eyes of law, which has been passed by respondent No. 1 In haste manner.

The petitioner alleged that as per clause-3 (e) of Government Order No. 07-SW of 2010 dated 18.01.2010 readwith Government Order No. 10-SW of 2010 dated 19.01.2010 and Government Order No. 91-SW of 2010 dated 19.04.2010, the candidate should belong to the hamlet where the Anganwadi Centre is located. The relevant clause reads as under:

**3. Criteria for selection of Anganwari Workers-**

**(e) The candidate should belong to the Hamlet where the Anganwari centre is located. If a suitable candidate is not available in that Hamlet, the candidate should be selected from the Revenue Village of which said Hamlet is a part. Likewise, if no suitable candidate in that Revenue Village, a candidate from the adjoining Revenue village shall be selected on the basis of inter-merit".**

Ld. Counsel for the petitioner while reiterating the memorandum of appeal alleged that the respondent No. 1 has not appreciated the evidence in its right perspective as the respondent No. 3 is the resident of Mohalla/ Hamlet Mian Singh Mohalla, therefore, she was not eligible even to apply for the post in question being the resident of another Hamlet. Disposal of the appeal vide order impugned dated 15.07.2017 is the malafide exercise of the power by the respondent No. 1 which is required to be set aside. Further the wards cannot be taken into consideration for engagement as Anganwari Worker in view of the fact that wards are made for developmental purposes.

Heard the arguments of Ld. Counsel for the petitioner and perused the record available on the case file. From the perusal of the order sheet it has been observed that respondent no. 3 has appeared in the matter on 20/07/2018 and thereafter she has not caused her appearance either herself or through advocate before Court. From the record available on the case file and the arguments putforth by the Ld. Counsel for petitioner it has been observed that during the pendency of this case private respondent (Miss Jaspreet Kour) has joined as Supervisor in Social Welfare Department on 12/10/2017. Further it has been observed that the hamlet is usually not recorded in revenue record as such panchayat ward no. 04 is the location in which AWC is proposed to be opened which is supported by Government Order 07-SW of 2010 dated 18.01.2010 criterion 1 (c). Since both the petitioner and respondent no.3 are residents of ward no. 4 Nai Basti as admitted by the Ld. Counsel for the petitioner and as confirmed by Tehsildar Pouni in his report dated 26/09/2019, that Christian Colony Ward no. 4 and Nai Basti lower Bazar ward no. 4 are the same and further in view of

the appointment of the private respondent No. 3 the present revision has become infructuous and the same needs no further proceedings. Therefore the case being devoid of merits is hereby dismissed.

The stay granted by this Court, if any, shall stand vacated. The record file of the Court below be sent back and the case file of this court be consigned to records after due completion.

**Announced**

10-08-2021.



**(Pawan Kumar Sharma) KAS**  
**Additional Commissioner,**  
**Jammu**  
**[with the powers of Divisional Commissioner]**