

**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR**

**BEFORE**

**HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA**

**ON THE 24<sup>th</sup> OF APRIL, 2024**

**MISCELLANEOUS PETITION No. 1991 of 2024**

**BETWEEN:-**

**ROSHINI D/O SHRI DHARMDAS RAJPUT, AGED  
ABOUT 27 YEARS, OCCUPATION: AANGANWADI  
KARYAKARTA R/O VILLAGE BANN TEHSIL  
BADAMALHARA DISTRICT CHHATARPUR  
(MADHYA PRADESH)**

**.....PETITIONER**

***(BY SHRI VAIBHAV TIWARI - ADVOCATE)***

**AND**

- 1. MAYA D/O SHRI JAGDISH RAJPUT, AGED  
ABOUT 23 YEARS R/O VILLAGE BANNA  
TEHSIL BADAMALHARA DISTRICT  
CHHATARPUR (MADHYA PRADESH)**
- 2. PROJECT OFFICER, WOMEN AND CHILD  
DEVELOPMENT DEPARTMENT  
BADAMALHARA DISTRICT CHHATARPUR  
(MADHYA PRADESH)**

**.....RESPONDENTS**

***( SHRI MANOJ KUMAR MISHRA – ADVOCATE FOR RESPONDENT NO.1 )***

.....  
*This petition coming on for admission this day, the court passed the  
following:*

**ORDER**

This petition under Article 226 of Constitution of India has been filed against order dated 01.04.2024 passed by Commissioner, Sagar Division Sagar in case No.225/Appeal/2023-24 by which appointment of petitioner on the post of Anganwadi Worker, Anganwadi Centre Bann has been set aside and respondent No.1 has been directed to be

appointed on the said post.

2. The undisputed facts are that on 23.02.2021, an advertisement was issued by the Women and Child Development Department, Sagar Division Sagar thereby inviting applications from eligible candidates for the post of Anganwadi Worker, Sahayika as well as Mini Anganwadi Worker including the post of Anganwadi Worker, Anganwadi Centre Bann. The last date for submission of application was 31.03.2021. Total 11 candidates including petitioner as well as respondent No.1 submitted their applications. On 16.06.2021, the Selection Committee prepared the comparison chart. Respondent No.1 was granted 10 bonus marks for holding BPL card and accordingly, she secured 48 marks, whereas petitioner secured 45.9 marks. The name of respondent No.1 was placed at serial No.1 and the name of petitioner was placed at serial No.3 in the comparison chart. On the very same day merit list was issued and the name of respondent No.1 was placed at serial No.2. An objection was filed to the tentative final list and by decision dated 19.04.2022, it was decided by the Board that respondent No.1 is not entitled for 10 marks for holding BPL card because her BPL card was set aside by order dated 12.04.2021 and after reducing 10 marks her total marks came to 38, whereas Smt. Arti Pateria resident of Barela has scored highest marks and accordingly, she was selected. It is submitted by counsel for petitioner that since Smt. Arti Pateria also got selected for a different Anganwadi Centre, therefore, she did not join and accordingly, present petitioner was given appointment by order dated 12.08.2022 having scored 45.9 marks, whereas respondent No.1 had scored 38 marks and on 16.08.2022, petitioner also submitted her joining.

3. Being aggrieved by order of appointment dated 12.08.2022,

respondent No.1 filed an appeal before the Collector, Chhatarpur. The Collector, Chhatarpur by order dated 17.04.2023 passed in Appeal No.18/Appeal/Anganwadi/2022-23 dismissed the appeal filed by respondent No.1.

4. Being aggrieved by the said order, respondent No.1 preferred an appeal before Commissioner, Sagar Division Sagar, which has been allowed by impugned order dated 01.04.2024 passed in Appeal No.225/Appeal/2023-24 primarily on the ground that last date for submission of application form was 31.03.2021, whereas BPL card of father of respondent No.1 was set aside/cancelled on 12.04.2021 therefore, on the last date of submission of application form respondent No.1 was having a live BPL card in her favour.

5. Challenging the order passed by Commissioner, Sagar Division Sagar, it is submitted by counsel for petitioner that against order dated 12.04.2021 passed by Tahsildar, Tahsil Ghuara District Chhatarpur in case No.7/B-121/Year 2021-2022 by which BPL card of father of respondent No.1 was cancelled, the father of respondent No.1 preferred an appeal before SDO (Revenue) Badamalhara, District Chhatarpur. The SDO (Revenue) Badamalhara, District Chhatarpur by order dated 15.12.2021 passed in Revenue Case No.33/Appeal/2021-22 dismissed the appeal as barred by time. Being aggrieved by the aforesaid order, the father of respondent No.1 preferred a Revision before Additional Collector, Chhatarpur, which was registered as Revision No.31/Revision/2022-23 and by order dated 16.11.2022, the order dated 15.12.2021 passed by SDO (Revenue) Badamalhara, District Chhatarpur by which the appeal filed by father of respondent No.1 was dismissed as barred by time was set aside. Accordingly, the SDO (Revenue)

Badamalhara, District Chhatarpur took up the appeal on merits and by order dated 01.06.2023 passed in Appeal No.148/Appeal/2022-23 affirmed the order dated 12.04.2021 passed by Tahsildar, Tahsil Ghuara, District Chhatarpur. It is further submitted that as per the best of the knowledge of petitioner, the order dated 01.06.2023 passed by SDO (Revenue) Badamalhara, District Chhatarpur has attained finality and has not been challenged by father of respondent No.1.

**6.** Respondent No.1 has filed her reply and in her reply also she has not stated that order dated 01.06.2023 has been challenged.

**7.** Thus, it is clear that order dated 01.06.2023 passed by SDO (Revenue) Badamalhara, District Chhatarpur has attained finality and the BPL card issued in the name of father of respondent No.1 has been set aside.

**8.** From order dated 12.04.2021 passed by Tahsildar, Tahsil Ghuara, District Chhatarpur in case No.7/B-121/2021-22, it is clear that father of respondent No.1 is the owner of 6.514 hectares of land as well as tractor, house with all materialistic facilities etc.

**9.** It is submitted by counsel for respondent No.1 that BPL card was issued on the ground that father of respondent No.1 is a handicapped person.

**10.** However, counsel for respondent No.1 could not justify that if a person is a handicapped having sufficient property like 6.514 hectares of land, tractor, house etc., then how he can be placed under the category of below poverty line. A person who is handicapped may be entitled for the advantages, which are available to the handicapped person but by no stretch of imagination it can be said that he would come under the category of BPL in spite of the fact that he may be living a luxurious

life.

11. Be that whatever it may be.

12. Respondent No.1 has not denied the fact that her father is not the owner of 6.514 hectares of land and is also not the owner of tractor, house etc.

13. Under these circumstances, this Court is of considered opinion that once the BPL card of respondent No.1 has already been set aside, therefore, she cannot be treated as the holder of BPL card.

14. Now the only question for consideration is that the last date for submission of application form was 31.03.2021, whereas the BPL card of the father of respondent No.1 was cancelled on 12.04.2021 i.e. after the last date for submission of application form was over.

15. Once, a BPL card was cancelled on the ground that it was issued on incorrect facts and in fact father of respondent No.1 was not living below the poverty line, then in the light of judgment passed by this Court in the case of **Shushila Verman Vs. State of M.P. and others** decided on 20.12.2023 passed in **W.P. No.4847/2021**, it has to be held that BPL card was invalid right from the date of its issuance and the cancellation of BPL card will certainly have a retrospective effect. It is made clear that BPL card can be cancelled on various grounds. In case if BPL card is cancelled on the ground that with passage of time, the person has come out of the category of BPL, then it cannot be said that cancellation of BPL card will have retrospective effect. At the most it will have effect from the date when the person concerned came out of the category of BPL. However, if the BPL card is cancelled on the ground that father of respondent No.1 was never living below the poverty line and he was having all source of properties like 6.514

hectares of land, tractor, house etc., then it has to be held that BPL card was issued in favour of father of respondent No.1 on incorrect facts. Even otherwise, it is the case of respondent No.1 that BPL card was not issued on the ground that her father is living below poverty line, but it was issued on the ground that he is a handicapped person.

**16.** As the counsel for respondent No.1 could not justify the reasons for issuance of BPL card in favour of father of respondent No.1, therefore, it has to be held that cancellation of BPL card by order dated 12.04.2021 has to be given retrospective effect and it has to be held that BPL card was issued on misrepresentation or playing fraud on the authorities and since the fraud vitiates everything, therefore, respondent No.1 cannot be given the advantage of 10 marks for holding BPL card. Even otherwise, if it is held that cancellation of BPL card under the facts and circumstances of the case will take effect from 12.04.2021, then a very peculiar circumstance would arise. On one hand, the authorities have come to a conclusion that father of respondent No.1 was never residing below the poverty line and on other hand merely because BPL card was live on the last date of submission of application form and if the benefit of 10 marks is given, then it would mean that respondent No.1 would be getting the advantage of wrong committed by her father. No one can be allowed to take advantage of his own wrong. Even otherwise, this Court in the case of **Shushila Verman (supra)** has held as under:

“This Petition under Article 226 of Constitution of India has been filed against order dated 23.10.2020 passed by respondent No.3 in case No.6/Appeal/2020-21 (Appeal No.102/Appeal/2014-15) and order dated

17.02.2021 passed by respondent No.2 in case No.139/Appeal/2020-21.

**2.** The facts necessary for disposal of present petition in short are that an advertisement was issued for filling up the posts of Anganwadi Workers at various places of different districts including for Anganwadi Centre Madsa, District Shahdol. Accordingly, petitioner as well as other private persons and other aspirants filled up their candidature. Respondents prepared a tentative final list to which petitioner raised an objection and later on final list was prepared thereby appointing respondent No.9. The objection raised by petitioner was that respondent No.9 is not living below the poverty line and BPL certificate has also been cancelled. Being aggrieved by order of appointment dated 04.08.2015, petitioner filed an appeal before the Collector. The Collector by order dated 31.08.2017 passed in Appeal No.102/Appeal/2014-15 allowed the appeal and appointment of respondent No.9 was set aside and it was directed that appointment order of petitioner may be issued after due verification of documents. Accordingly, in compliance of order dated 31.08.2017, appointment order of petitioner was issued on 25.09.2017 and she submitted her joining on the very same day.

**3.** It is the case of petitioner that respondents No.8 and 9 challenged the order passed Collector before respondent No.2 and respondent No.2 remanded the matter back to the Collector thereby directing him to conduct a detailed enquiry after affording an opportunity of hearing to the interested party. Thereafter, it is alleged that the Collector without conducting an enquiry into the matter and without verifying the residence of respondent No.8, set aside the

order of appointment of petitioner by order dated 23.10.2020 passed in case No.6/Appeal/2020-21 (Appeal No.102/Appeal/2014-15). Thereafter, petitioner preferred an appeal, which too has been dismissed by Additional Commissioner, Shahdol Division Shahdol.

4. It is submitted by counsel for petitioner that before appointment order could be issued, respondent No.8 had got married on 18.04.2014 and thereafter, she started residing in her matrimonial house. Therefore, it is clear that she is not the permanent resident of village Madsa. It is submitted that a complaint was made by one Mohelal that respondent No.8 does not come within the category of BPL and accordingly, a report from the Revenue Inspector was called, who certified that respondent No.8 does not come within the category of BPL. Consequently certificate issued in her favour has been directed to be cancelled with an observation that her name be deleted from the list of BPL. It is submitted that in case if 10 marks awarded to respondent No.8 for holding a BPL card are deducted, then her marks will down come to 42.77, whereas petitioner had obtained 51.11 marks.

5. *Per contra*, petition is vehemently opposed by counsel for respondent No.8. It is submitted that crucial date for ascertaining qualification of the aspirant is either the cut-off date mentioned in the advertisement or the last date for submission of application form. In the present case, last date for submission of application form was 17.02.2014, whereas respondent No.8 got married on 18.04.2014. Therefore, it is cannot be said that respondent No.8 was not the permanent resident of village Madsa on the date when application forms were



submitted. It is further submitted that so far as the recall of BPL card is concerned, BPL card of respondent No.8 was live on the last date of submission of application form, therefore, she was entitled for 10 marks.

**6.** The counsel for State has supported the reasons assigned by Additional Collector, Shahdol as well as Additional Commissioner, Shahdol Division Shahdol.

**7.** Heard the learned counsel for parties.

**8.** As per tentative list, respondent No.8 was placed at serial No.1 with 52.77 marks, whereas petitioner was placed at serial No.2 with 51.11 marks and one Smt. Gohar Fatima was placed at serial No.6 with 42.11 marks. However, after objections were decided, Smt. Gohar Fatima/respondent No.9 was awarded 10 marks for holding BPL card and accordingly, she scored 52.11 marks, whereas it was held that respondent No.8 is not the resident of locality and accordingly, it was held that Gohar Fatima after addition of 10 marks for holding BPL card had scored 52.11 marks therefore, she is entitled to be placed at serial No.1, whereas petitioner was placed at serial No.2 with 51.11 marks. The appointment order of respondent No.9 was set aside by Collector by order dated 31.08.2017 and petitioner was given appointment. However, appeals filed by respondents No.8 and 9, which were registered as Appeal No.6/Appeal/2017-18 and Appeal No.2/Appeal/2017-18 respectively were allowed and matter was remanded back. The Additional Collector after remand held that respondent No.8 got married on 18.04.2014, whereas last date for submission of application form was 17.02.2014, therefore, she was eligible and since she had scored 52.77 marks, therefore, she was the meritorious person and thus,

appointment order of respondent No.8 was set aside. The order passed by Additional Collector, Shahdol was challenged by petitioner by filing appeal No.139/Appeal/2020-21 before Additional Commissioner, Shahdol Division Shahdol. However, it is not out of place to mention here that order passed by Additional Collector by which appointment order of Smt. Gohar Fatima/respondent No.9 was set aside was never challenged by Smt. Gohar Fatima.

**9.** So far as eligibility of respondent No.8 for her appointment as Anganwadi Worker is concerned, it is suffice to mention here that qualification of candidate is to be ascertained on the cut-off date as mentioned in the advertisement or on the last date for submission of application forms. Admittedly, respondent No.8 was spinster on the last date for submission of application form and was residing alongwith her father in her parental home. She got married on 18.04.2014 during selection process. Thus, it is clear that she cannot be ousted from consideration zone merely on the ground that during selection process she got married. Thus, it is held that candidature of respondent No.8 was rightly considered by respondents.

**10.** Now the only question for consideration is as to whether respondent No.8 was entitled for 10 marks for holding BPL card or not?

**11.** It is an undisputed fact that BPL card of respondent No.8 was cancelled. However, she was having a live BPL card on the last for submission of application form.

**12.** A Division Bench of this Court in the case of **Renu Vishwakarma Vs. Tulsi Vishwakarma and others** reported in

(2019) 3 MPLJ 51 has held that the documents, which were live on the last date for submission of application form are to be considered and subsequent cancellation of any document shall not have any adverse effect.

13. In the case of **Renu Vishwakarma (supra)**, BPL card was cancelled. However, the order by which BPL card was cancelled was set aside in appeal.

14. In the present case, there is no averment by respondent No.8 that order by which a BPL card was set aside, has been overturn in an appeal.

15. This Court in the case of **Smt. Gayatri v. State of M.P. and others** decided on **08.11.2023** passed in **W.P.No.16504/2018** has held as under:-

“8. It is true that aspirant must have their BPL card much prior to last date of submission of application form but BPL card means a valid BPL card. Any BPL card issued to an unauthorized/ineligible person cannot be treated as a valid BPL card. In the present case, the Tahsildar in his report had found that respondent No.3 is not eligible to hold BPL card. Thus, it is clear that BPL card was wrongly issued in the name of respondent No.3. Holding of BPL card is not a mere paper formality but it indicates the financial situation of an aspirant. In view of difficulties which a person suffers on account of financial constraints, additional 10 marks are awarded to such person. A person, who was subsequently declared as ineligible to hold BPL

card cannot be said to be entitled for 10 marks because once BPL card is cancelled on the ground that candidate was not eligible to hold the same, then it has to be given effect right from very beginning. However, it is made clear that closed cases cannot be reopened on account of subsequent cancellation of BPL card. But in the present case, when an objection was raised, an enquiry was got conducted from Tahsildar and only after considering the enquiry report, 10 marks, which were given to respondent No.3, were deducted from her account, which made petitioner more meritorious persons.

**9.** Under these circumstances, since it is not a case of cancellation of BPL card after appointment of respondent No.3 but it is a case of cancellation of BPL card during selection process and that too on the objection raised by co-candidates, this Court is of considered opinion that BPL card has to be treated as nonest and void ab initio on the very date of issuance of same. Under these circumstances, respondent No.3 was not entitled for 10 marks for holding BPL card.

**10.** From the impugned order it is clear that after adding 10 marks for holding BPL card, respondent No.3 had scored 60.70 marks, whereas one Sunita Bisen had scored 58.90 marks and petitioner had scored 57 marks.

The Tahsildar in his report had found that respondent No.3 Monali Bisen as well as Sunita Bisen were not eligible to hold BPL card, therefore, after deducting 10 marks, which were given to them for holding BPL card, it is clear that respondent No.3 Monali Bisen would get 50.70 marks and Sunita Bisen would get 48.90 marks, whereas petitioner had scored 57 marks. Thus, it is clear that petitioner was most meritorious candidate.”

**16.** A Coordinate Bench of this Court in the case of **Smt. Prasandana vs. State of M.P. and others** decided on **31.01.2019** passed in **W.P.No.21440/2017** as held as under:-

“**12.** It is to note here that if a person does not come in the BPL category and even then derives the benefit producing the forged certificate, whosoever is involved in issuance of those certificates, is required to be dealt with in accordance with law by the authority because the intention of Policy framers is to extend the benefit of BPL to the genuine BPL Card holders and not to the persons who obtained such cards in a forged and fabricated way. In that view of the matter, the argument advanced that after selection, cancellation of BPL card would not debar respondent No. 5, is having no substance. The person who does not come in the BPL category and by getting a certificate manipulates them

though as per law possesses the land more than the limit so prescribed and thereafter got registered his name in the BPL list and secured the job, cannot be protected by the Court, therefore, order passed by the Additional Commissioner stands set aside.”

17. If the law laid down by Division Bench of this Court in the case of **Renu Vishwakarma (supra)** is considered, then it is clear that facts of said case are completely different. On the date when the judgment in the case of **Renu Vishwakarma (supra)** was pronounced, the successful candidate was having a live BPL card. Merely because BPL card of successful candidate was not in existence for limited period would not mean that she was not eligible on the last date for submission of application form. At the cost of repetition, it is reiterated that in the case of **Renu Vishwakarma (supra)**, the Division Bench of this Court has held as under:

“14. Irrefragably, as per advertisement the date of submission of the application forms commenced from 4-4-2016 till 21-4-2016. Along with her application the appellant had filed a valid BPL certificate. A provisional list was prepared on 2-6-2016 wherein the present appellant was placed at Sr. No.1 having scored 66.10 marks, whereas the name of the writ petitioner featured at Sr. No.2 having obtained 57.20 marks. Thereafter on the basis of objection of the writ petitioner, the 10 marks awarded to the appellant

for BPL category were deducted and her total marks came to 56.10. The order of cancellation of the BPL certificate was passed on 4-6-2016 by the Tehsildar, Chitrangi, after almost more 8 than two months of the cut off date, i.e., 21-4-2016. Further, the said order has already been set aside by the Sub-Divisional Officer, Chitrangi District Singrauli by order dated 10-8-2018 which has attained finality.

**15.** A candidate must possess requisite qualifications on the last date fixed for the purpose of submitting application forms. At this juncture, it is useful to refer the judgment of the Apex Court rendered in the case of **Dr. M.V. Nair vs. Union of India and other, (1993) 2 SCC 429** ruled thus:

“9.....It is well settled that suitability and eligibility of a candidate have to be considered with reference to the last date for receiving the applications, unless, of course, the notification calling for applications itself specifies such a date.”

[Emphasis supplied]”

**16.** In the case of **Rakesh Kumar Sharma vs. State (NCT of Delhi) and others, (2013) 11 SCC 58** it is held that the settled legal proposition is that the selection

process commences on the date when the applications are invited and any person eligible on the last date of submission of the application secures the right to be considered against the said vacancy, provided that he/she fulfils the requisite qualifications.

17. Thus analysed, we do not concur with the view taken by the learned Single Judge that the subsequent cancellation of the BPL certificate would dis-entitle the appellant from enuring the benefit of 10 marks meant for BPL category, especially when the said order has already been set aside.”

18. Thus, it is clear that in the case of **Renu Vishwakarma (supra)** the successful candidate was having live BPL card on the last date for submission of application form. Thereafter, her BPL card was set aside/cancelled. However, the said order was set aside in appeal and ultimately, successful candidate was having live BPL card. In the present case, respondent No.8 does not have a live BPL card. A BPL card can be set aside on various grounds. If BPL card is set aside on technical issues, then it may not be said to be *void ab initio*. However, if it is set aside on the ground that BPL card was obtained by misrepresentation, whereas candidate was never belonging to the category of below poverty line, then that would mean that BPL card was never in existence right from day one. If it has been held by competent authority that BPL card was obtained by misrepresentation, then if the benefit of said BPL card is given to the aspirant, then it would create a very awkward and absurd position. The benefit of



10 marks is given to the holder of BPL card because of the difficulties faced by them in their life on account of poor financial capacity. If it is held that although a person had never faced such tough situation and he was living a happy and prosperous life, still will be entitled for the benefit of BPL card for the reason that she had successfully obtained the same by playing fraud on the authorities, then it would mean that this Court would be justifying the illegal act of the aspirant.

**19.** Under these circumstances, this Court is of considered opinion that once the BPL card was set aside and the said order is not reversed in appeal, then the aspirant is not entitled for benefit of 10 marks for holding the BPL card.

**20.** Accordingly, it is held that respondent No.8 was not entitled for 10 marks, which were wrongly granted to her on account of holding of BPL card. If 10 marks awarded to respondent No.8 are deducted, then her total marks would down come to 42.77, whereas petitioner had got 52.11 marks.

**21.** However, there is another twist in the matter. Smt. Gohar Fatima/respondent No.9, who was initially awarded 42.11 marks was held to be entitled for 10 marks for holding BPL card, therefore, it was held that Smt. Gohar Fatima is entitled for 52.11 marks. Thus, it is clear that Smt. Gohar Fatima would come at serial No.1 having scored 52.11 marks. Petitioner would come at serial No.2 having scored 51.11 marks and respondent No.8 will come down to serial No.6 having scored 42.77 marks. Smt. Gohar Fatima did not prefer an appeal against the order passed by the Additional Collector, Shahdol. In case, if petitioner is granted appointment, then it would mean

that second meritorious person would be granted appointment by ignoring the legitimate claim of Smt. Gohar Fatima, who was otherwise liable to be placed at serial No.1.

**22.** Under these circumstances, by setting aside order dated 23.10.2020 passed by respondent No.3 in case No.6/Appeal/2020-21 (Appeal No.102/Appeal/2014-15) and order dated 17.02.2021 passed by respondent No.2 in case No.139/Appeal/2020-21, this Court is of considered opinion that no direction can be given to respondents to appoint petitioner on the post of Anganwadi Worker.

**23.** Accordingly, the post of Anganwadi Worker, Anganwadi Centre, Madsa, District Shahdol is declared vacant.

**24.** Respondents are directed to initiate proceedings for filling up the said post. Till the vacancy is filled up, respondents shall make alternative arrangement but respondent No.8 shall not be entitled to continue on the post of Anganwadi Worker, Anganwadi Centre Madsa, District Shahdol.

**25.** With aforesaid observation, petition is **disposed of.”**

**17.** Considering the totality of the facts and circumstances of the case coupled with the fact that order dated 01.06.2023 passed by SDO (Revenue) Badamalhara, District Chhatarpur in Appeal No.148/Appeal/2022-23 has attained finality and since father of respondent No.1 was not found to be residing below the poverty line and even according to respondent No.1 BPL card was issued on the ground that father of respondent No.1 is handicapped person, this Court is of considered opinion that cancellation of BPL card would relate back to the date of issuance of BPL card.

18. Under these circumstances, the Commissioner, Sagar Division Sagar has failed to consider the effect of cancellation of BPL card of respondent No.1 in proper prospective.

19. Accordingly, order dated 01.04.2024 passed by Commissioner Sagar Division Sagar in case No.225/Appeal/2023-24 is hereby **set aside**.

20. It is submitted by counsel for respondent No.1 that in compliance of order dated 01.04.2024 passed by Commissioner Sagar Division Sagar, an appointment order dated 05.04.2024 was issued in favour of respondent No.1 and accordingly, on 08.04.2024 respondent No.1 has submitted her joining.

21. Accordingly, appointment order dated 05.04.2024 issued in favour of respondent No.1 and joining dated 08.04.2024 submitted by respondent No.1 are also hereby **quashed** and respondent No.1 shall immediately stop functioning as Anganwadi Worker, Anganwadi Centre Bann.

22. The petitioner shall be allowed to continue to work on the post of Anganwadi Worker, Anganwadi Centre Bann.

23. The petition succeeds and is hereby **allowed**.

(G.S. AHLUWALIA)  
JUDGE

SR\*