



IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.6988 of 2024

Decided on: 13.11.2025

Lalita Devi

....Petitioner

Versus

State of H.P. & Ors.

...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

¹ *Whether approved for reporting?* Yes

For the petitioner: Mr. Neel Kamal Sharma, Advocate.

For the respondents: Mr. Vishwadeep Sharma, Additional Advocate General.

Jyotsna Rewal Dua, Judge

Petitioner was serving as Anganwari Worker at Anganwari Centre, Sadhwani-I, Circle Khudla, Tehsil Baldwara, District Mandi, H.P. Respondents terminated petitioner's service on 27.06.2024 for her repeated acts of indiscipline and insubordination. Feeling aggrieved, petitioner has preferred this writ petition.

2. Heard learned counsel for the parties and considered the case file.

¹ *Whether reporters of Local Papers may be allowed to see the judgment? yes*

3 The case

3(i). The case file reflects that Pradhan of Gram Panchayat Bhambla, Development Block Gopalpur, District Mandi alongwith number of villagers, filed a complaint/representation on 24.3.2023 to respondent No.4- the Child Development Project Officer, Gopalpur, District Mandi, requesting shifting the Anganwari Centre-Sadhvani, that was being run from the house of the petitioner to another building.

Taking note of strong objections of the villagers about running of Anganwari Centre from the house of the petitioner located outside village Sadhwani at an isolated place, respondent No.4 on 13.04.2023 directed the petitioner to shift the aforesaid Anganwari Centre to the Mahila Mandal Bhawan.

3(ii) Petitioner did not comply with the order and instead shifted the Anganwari Centre to the house of her real brother-in-law 'Jeth'. The villagers again objected to the petitioner's non-compliance of the office order for shifting the Anganwari Centre to Mahila Mandal Bhawan and rather shifting it to her brother-in-law's house.

Respondent No.4 on 20.04.2023 again directed the petitioner to shift Anganwari Centre to the Mahila Mandal Bhawan as Anganwari Centre could not have been run from the house(s) of Anganwari Worker/Helper or their relations.

3(iii) Petitioner did not abide by the directions. Rather she defended her action of running Anganwari Centre from the house of her brother-in-law, giving reason and justification thereof, including that she had entered into a rent agreement with her brother-in-law for running the Anganwari Centre from his house and the objection being raised by her brother-in-law of his having not yet received the promised/agreed advance rent for a period of one year.

In the meanwhile, respondent No.4 received another representation from the concerned Gram Panchayat Bhambla, Mahila Mandal Sadhwani-Tikkari and villagers of village Sadhwani for shifting the Anganwari Centre Sadhawani to Mahila Mandal Bhawan. Respondent No.4 on 15.5.2023, again ordered the petitioner to shift Anganwari Centre to Mahila Mandal Bhawan.

In the aforesaid letter, a stern warning for taking departmental action was also issued to the petitioner in case

of her continued defiance to the directions. The directions were reiterated by the respondents on 20.05.2023, 19.07.2023 and 26.07.2023.

3(iv) The case file is replete with the repeated directions/office letters, notices issued to the petitioner for shifting Anganwari Centre from her house to Mahila Mandal Bhawan.

Petitioner admittedly did not comply with the directions issued to her in umpteenth office communications. Finally a show cause notice was issued to the petitioner on 01.08.2023 for not complying the departmental orders. Petitioner was again directed to shift the Anganwari Centre with a clear stipulation that failure to do so would entail removal of her service in terms of Clause 7 of the Scheme for appointment of Anganwari Workers. In the meanwhile, the Anganwari Level Monitoring & Support Committee instituted a Civil Writ Petition No.5293/2023 before this Court. The writ petition was disposed of on 10.08.2023 with directions to respondent No.2 to decide the matter within four weeks.

Pursuant to above directions, respondent No.2 on 21.10.2023, ordered for shifting the Anganwari Centre

Sadhvani to Mahila Mandal Bhawan after ensuring the provisions of all basic amenities to the beneficiaries in the Mahila Mandal Bhawan. Petitioner did not obey even this order. Anganwari Centre was not shifted by her to Mahila Mandal Bhawan. In terms of following Clause-7 of the notification dated 24.08.2023, containing guidelines for appointment of Anganwari Workers, the first show cause notice was issued to the petitioner on 14.12.2023 for not adhering to the departmental orders:-

“7 Removal

Anganwadi Worker/ Mini Anganwadi Worker and Helper are honorary workers. For any act of misconduct, misbehaviour, more than 30 days disruption of services and for non-performance of her duties, the services of an Anganwadi Worker/ Mini Anganwadi Worker or Helper can be terminated after serving three notices in the interval of 15 days citing reasons to be recorded in writing. The termination order will be issued by the concerned Child Development Project Officer with the prior approval of Director (WCD).”

Petitioner still did not abide by the directions. The second notice was issued to her by the respondents on 29.12.2023. Petitioner still remained adamant. The third and final notice was issued to her on 12.01.2024. The above

three notices and persistent refusal of the petitioner to comply with the directions for shifting the Anganwari Centre, led to termination of her services under impugned order dated 27.06.2024 (Annexure P-13).

It is an admitted position of the parties that only after termination of services of the petitioner, the Anganwari Centre Sadhwani-1 could be shifted to Mahila Mandal Bhawan.

4. Consideration

Learned counsel for the petitioner mainly argued that punishment of termination of services imposed upon the petitioner was too harsh, considering long service rendered by her. Learned Additional Advocate General defended termination of petitioner's services in view of petitioner's refusing to obey her higher officers' as highlighted in the reply filed by the respondents.

The respondent/employer had repeatedly directed the petitioner to shift Anganwari Centre from her home to Mahila Mandal Bhawan. Despite innumerable office letters and notices received by her in this regard from the respondents, petitioner still thwarted the compliance of

directions. Initially she shifted the Anganwari Centre from her home, but only to run it from the home of her real brother-in-law (*Jeth*). Not only this, petitioner without any authority also entered into some sort of rent agreement with her brother-in-law for running Anganwari Centre for a period of one year in his house and on account of her brother-in-law having not received the promised rent, justified her action of not shifting the Anganwari Centre from the house of her brother-in-law to Mahila Mandal Bhawan as was directed by respondents.

The reply filed by the respondents on the affidavit of respondent No.4, also gives instances where petitioner's husband misbehaved with the officers in couple's attempts to block shifting the centre in terms of the directions. So much so that FIRs had to be registered against them by the respondents.

Be that as it may. It is not the case of the petitioner that she was not aware of the directions issued to her by the competent authority for shifting the Anganwari Centre from her house to the Mahila Mandal Bhawan. It was not for the petitioner to decide where to run the Anganwari

Centre. As an employee, all that was required of her was to abide by the directions issued to her by the higher officers and not to sit over the same and take her independent decisions contrary to the directions. It is a case of gross insubordination and indiscipline on part of the petitioner. In fact, respondents had given the petitioner ample opportunities in form of office letters, notices and orders for shifting the Anganwari Centre to Mahila Mandal Bhawan. These opportunities were not availed by the petitioner. Not one, but three show cause notices were also issued by the respondents to the petitioner, clearly directing her to shift Anganwari Centre Sadhwani to Mahila Mandal Bhawan. Petitioner chose to turn blind eyes and deaf ears to these directions. Petitioner had no excuse for not complying with the directions. She repeatedly disobeyed and defied the orders of higher officers in authority. Faced with adamancy of the petitioner, her misconduct, extent of indiscipline, repeated misadventures and acts of insubordination, respondents acted within the confines of law and applicable Scheme in terminating her services. In exercise of judicial review, in the given facts, no case for interference with the

impugned order is made out. In the given circumstances when the petitioner fully conscious of the directions issued to her by the respondent/employer, chose not to comply them, she was guilty of gross insubordination, which cannot be tolerated in public service. Petitioner exhibited scant regard to the orders of her direct higher officers. She did not maintain either the decorum, dignity of her position or that of her superiors. Respondents were left with no option. Insubordination cannot be taken lightly as it affects hierarchy of position and the chain of command, which in turn, affects working of employer. In my considered view, termination of her service cannot be termed as perverse or disproportionate.

No other point was urged.

5. In view of above, I do not find any merit in the present writ petition. The same is accordingly dismissed.

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

Jyotsna Rewal Dua
Judge

November 13, 2025

R.Atal