

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6279/2022
(Arising out of SLP(C) No. 16392/2017)

KIRAN DEVI

..APPELLANT(S)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

..RESPONDENT(S)

O R D E R

Leave granted.

It is a stand of the State counsel that the appellant herself is earning Rs.1700/- per month over which the total calculation for the year was a mistake.

If it is actually multiplied by twelve and comes to Rs.8400/-, still the appellant would not get the job of an Aanganwadi worker. The appellant sought to claim that it was not even Rs.1700/- but Rs.1600/- per month which was established. That is the reason that the appellant was sought to be deprived of the job of Aaganwadi worker.

On our query, it transpires that in view of the status quo order, the appellant has continued to work as an Aanganwadi worker from 2006 onwards i.e. for the last 16 years. The claim of respondent NO.4 is based on denying the appellant the job of an Aanganwadi worker and to be replaced.

The emolument of Aanganwadi worker are very basic and for sustenance. To deprive the appellant of the job now after 16 years would not be appropriate.

We are thus of the view that the appellant should be permitted to continue in the job of Aaganwadi worker and the case of respondent No. 4 may be examined on its own merits and decision taken within two months from today. The impugned judgment is therefore set aside in view of the directions aforesaid.

The appeal is allowed in terms aforesaid.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[ABHAY S. OKA]

NEW DELHI,
SEPTEMBER 07, 2022.

ITEM NO.13

COURT NO.3

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 16392/2017

(Arising out of impugned final judgment and order dated 12-04-2017 in MISB No. 2243/2007 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

KIRAN DEVI**Petitioner(s)****VERSUS****THE STATE OF UTTAR PRADESH & ORS.****Respondent(s)**

(IA No. 47263/2017 - EXEMPTION FROM FILING O.T.)

Date : 07-09-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) **Mr. Alok Kumar Misra, Adv.**
 Mr. Shyam Kumar, Adv.
 Mr. Ashutosh Lal, Adv.
 Dr. Vinod Kumar Tewari, AOR

For Respondent(s) **Ms. Garima Prasad, Sr. Adv./AAG**
 Mr. Tanmaya Agarwal, AOR
 Mr. Wrick Chatterjee, Adv.

Mr. Shwetank Sailakwal, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application stands disposed of.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)

[Signed order is placed on the file]