

Court No. - 4

Case :- WRIT - A No. - 3371 of 2025

Petitioner :- Smt Chandani Pandey

Respondent :- State Of Up And 2 Others

Counsel for Petitioner :- Akhilesh Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Heard learned counsel for the petitioner as well as learned Standing Counsel.

By means of this petition filed under Article 226 of the Constitution, petitioner claims for consideration of her candidature for the post of Anganbadi Karyakatri by allowing her to submit her Post Graduation degree which he could not submit due to technical flaw while filling up online application form.

Upon a pointed query being made as to why he wants to put up Post Graduation degree, learned counsel for the petitioner draws attention of the Court to the Government Order dated 21.03.2023, wherein, vide clause 7 it is provided that on the post of Anganbadi Karyakatri and Anganbadi Sahayika the merit list shall be prepared on the basis of minimum qualification or equivalent qualification and also the maximum academic qualification of Post Graduation.

In the considered view of the Court, when a minimum qualification is prescribed under the Government Order as Intermediate for the post of Anganbadi Karyakatri with an age limit of 18 to 35 years and there is no provision contained under the Government Order providing for preferential qualification as Graduation or Post Graduation, nor there is any provision to give additional marks for such qualification, in my considered view the Graduation and Post Graduation qualification cannot be taken as preferential qualification.

In such above view of the matter, therefore, the respondents can neither compel the petitioner to submit Post Graduation academic qualification certificate, nor can reject her candidature on the ground that she failed to submit Post Graduation degree, nor even can place her below to a candidate having Post Graduate degree if she scores better merely to such candidates on the basis of her performance as Anganbadi Sahayika and/ or High School and Intermediate marks qua merit list. The provision of preparation of

merit list as per Post Graduate degree is held to be directory only. Respondents are directed to prepare the merit list strictly in accordance with the minimum qualification as prescribed and allot the marks on the basis of High School and Intermediate qualification pursuant to the advertisement issued and not on the basis of Graduation or Post Graduation as there is no preferential qualification prescribed under the relevant Government Order.

In the circumstances, therefore, I **dispose of** this petition accordingly with aforesaid observations and directions.

Order Date :- 19.3.2025

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