



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-5030-2025

Date of Decision:25.09.2025

Amandeep Kaur

...Petitioner

Vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Amit Gupta, Advocate
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present writ petition under Article 226/227 of the Constitution of India with a prayer to issue a writ in the nature of Certiorari for quashing the order dated 03.02.2025 (Annexure P-7) passed by respondent No.2, whereby, the respondent No.3 was appointed as Asha Worker in Village Bishangarh/Katakheri, District Patiala.

2. Learned counsel for the petitioner contends that the petitioner has obtained her Bachelor of Arts degree from Punjabi University, Patiala and thereafter, she also passed her Post Graduate Diploma in Computer Application from Punjabi University, Patiala in the year 2015. On 02.01.2025, respondent No.2 had issued a letter to A.N.M village Kheri Ranwa and Chairperson village Health Safai and Food Committee, Village Bishangarh mentioning therein that the post of Asha Worker was lying vacant and the applications may be called from the interested candidates for the post of Asha Worker. On 09.01.2025, Sarpanch of Gram Panchayat, Village Bishangarh, District Patiala had passed a

resolution (Annexure P-5) to the effect that Jasbir Kaur, Asha Worker had resigned from the post and the post has become vacant. Consequently, the petitioner may be appointed on the post of Asha Worker. Even, on 14.01.2025, the petitioner submitted a representation (Annexure P-6) to the respondent No.2 and requested to appoint her as Asha Worker being fully eligible for the said post. Thereafter, on 29.01.2025, the interview for the said post was held and later on, on 03.02.2025, the result was declared and respondent No.3 was wrongly appointed as Asha Worker. Learned counsel further submits that while passing the impugned order dated 03.02.2025 (Annexure P-7), respondent No.2 had not taken into consideration the fact that the petitioner was much more qualified than respondent No.3. On the date of interview, the petitioner was holding same degree and also possessed Diploma in Computer Application from Punjabi University, whereas, on the other hand, respondent No.3 had not even qualified 10th class. Consequently, the selection of respondent No.3 is liable to be set aside by this Court.

3. On the other hand learned State counsel submits that the Government of India had decided to launch a National Rural Health Mission (NRHM) to address the health needs of rural population, especially the vulnerable sections of the society and had decided to appoint a Accredited Social Health Activist (ASHA) for the said purpose. Even certain guidelines on Asha Workers were issued and the following criteria was laid down for selection of Asha Worker:-

Criteria for Selection

“ASHA must be primarily a woman resident of the village-Married/Widow/Divorced’ and preferably in the age group of 25 to 45 yrs.

ASHA should have effective communication skills, leadership qualities and be able to reach out to the community. She should be a literate woman with formal education up to Eighth Class. This may be relaxed only if no suitable person with this qualification is available.

Adequate representation from disadvantaged population groups should be ensured to serve such groups better.”.

Learned State counsel further submits that the petitioner as well as respondent No.3 had applied for the post of Asha Worker and after holding the interview, respondent No.3 was found more suitable for the post. The petitioner secured 11 marks, whereas, Meena Rani, respondent No.3 had secured 12 marks and was found suitable for the post and accordingly, selected by the official respondents. He further contends that even respondent No.3 also possessed the requisite education qualifications for the said post as respondent No.3 had passed her 10+2 examination from Punjab School of Education Board in the year 2016 and it is wrong to say that she was not even a matriculate. Thus, the present petition deserves to be dismissed by this Court.

4. I have heard learned counsel for the parties and perused the record carefully.

5. In the present case, the Government of India has already laid down certain guidelines for the selection of Asha Worker in the villages, who have been tasked with the responsibility of a change agent on the health in the village. Even, the Asha Worker has to create awareness and provide the information to the community on determinants of health such as nutrition, basic sanitation and hygienic practices etc. Apart from that, she has to counsel women on birth preparedness, importance of safe delivery, breast feeding and complementary feeding, immunization, contraception and prevention of

common infections. Apart from that, Asha Worker has to mobilize the community and facilitate them in accessing health and health related services. Apart from that, the other duties assigned to the Asha Workers is to work with the Village Health & Sanitation Committee of the Gram Panchayat to develop a comprehensive village health plan. Consequently, it is apparent that apart from educational qualifications, a candidate has to be judged by the selectors on various other grounds as well.

6. In the present case also, no doubt the petitioner as well as respondent No.3 passed the requisite qualifications for being appointed as Asha Worker, but the Selection Committee found respondent No.3 to be more suitable for the post as she had secured more marks for the process of selection. In fact, the law is well settled that the eligibility and suitability are two entirely different aspects and even if the petitioner possessed more educational qualifications, it does not make her more suitable candidate.

7. In view of the above discussion, finding no merits, the present petitioner is ordered to be dismissed.

25.09.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No