

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

Civil Writ Petition No. 10128 of 2012(O&M)

Date of Decision: November 30 , 2015.

Sita Devi

..... PETITIONER (s)

Versus

Punjab Mandi Board and another

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Sharwan Sehgal, Advocate
for the petitioner.

Mrs. Geeta Sharma, Advocate
for the respondents.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this writ petition is for setting aside order dated 15.03.2012, Annexure P6 as well as order dated 25.04.2012, Annexure P7 passed by respondent No.2. Petitioner was working as a Part-time Sweeper with the respondent-Committee since 27.12.1990. Vide resolution dated 15.12.2011 Annexure P5, it was decided that services of the petitioner should be regularized against a vacant post in view of instructions dated 26.03.2001.

Said resolution was however annulled by the Secretary, Punjab

Mandi Board vide order dated 15.03.2012, Annexure P6. On resolution dated 15.12.2011 being annulled, petitioner was intimated vide order dated 25.04.2012, Annexure P7 that she was kept posted on her previous post of Part-time Sweeper.

It is submitted that impugned order dated 15.03.2012, Annexure P6 vide which number of resolutions passed by the Market Committee, Barnala including resolution dated 15.12.2011 Annexure P5 have been set aside, is also subject matter of CWP No.9502 of 2012 (Avtar Singh v. Punjab Mandi Board and another) and CWP No.9503 of 2012 (Ram Singh v. Punjab Mandi Board and another) filed by other affected employees. Said writ petitions have been allowed on 06.04.2015 primarily on the ground that no notice or opportunity of hearing was afforded to the petitioners therein, before termination of their services vide impugned order dated 15.03.2012. On the same analogy, learned counsel for the petitioner submits that before reverting her to her initial posting as Part-time Sweeper, no notice whatsoever has been issued to her. Thus impugned order is liable to be set aside.

Learned counsel for respondents does not deny the abovesaid factual position.

In view of the above, impugned orders dated 15.03.2012, and 25.04.2012 Annexures P6 and P7, respectively, qua the petitioner are quashed with liberty to the respondents to take action in accordance with law after affording an opportunity of hearing to the petitioner.

Writ petition is accordingly disposed of.

(LISA GILL)
JUDGE

November 30 , 2015.