

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

**CWP-10357-2014 (O&M)
Date of Decision:-04.08.2016**

RACHHPAL KAUR & ORS

....Petitioner(s)

vs.

STATE OF PUNJAB & ORS

....Respondent(s)

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr.Avninder Kumar Kalsy, Advocate with
Mr. Abhimanyu Kalsy, Advocate,
for the petitioners.

Mr. Nikhil Kumar Chopra, Addl.A.G., Punjab.

JASWANT SINGH, J. (Oral)

The four petitioners, namely, Rachhpal Kaur, Murti, Pritam Kaur and Krishan Lal were working as part-time Sweepers with Nagar Panchayat, Maloudh, Tehsil Payal, District Ludhiana-respondent No.4. Their part-time services were sought to be regularized vide resolution No.19 dated 9.12.2011 subject to fulfillment of condition, *inter alia*, proof of age as per the sanction of the Department of Local Bodies. Pursuant thereto, vide order dated 30.3.2012 passed by respondent No.4, the services of the petitioners were regularized.

However, on 30.1.2013, another resolution No.4 was passed by respondent No.4-Nagar Panchayat, Maloudh whereby the services of the Sweepers, including the four petitioners, were terminated as they were stated to be above 47 years of age (maximum age prescribed for

Government employees is 47 years) at the time of their regularization. The said resolution No.4, however, was cancelled vide order dated 3.5.2013 (Annexure P-9) passed by respondent No.3.

In the reply, it is stated that the said order (P-9) was also confirmed by the Director, Local Bodies vide order dated 3.3.2015.

During the course of hearing, on previous dates, it was realized that the impugned order dated 3.5.2013 (Annexure P-9) is in fact in favour of the petitioners.

Although an application for amendment has been moved but for the sake of convenience of the pleadings as well as the smooth conduct of Court proceedings, learned counsel for the petitioners prays for withdrawal of the present petition so as to file a fresh one with better particulars or seek their remedies in accordance with law.

Dismissed as withdrawn with the liberty aforestated.

August 04 2016
poonam

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No