

CWP No.23477 of 2013

Manoj Kumar
2016.09.20 10:09
I attest to the accuracy and
integrity of this document
#1#

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

CWP No.23477 of 2013

Date of Order: 19.9.2016

Promila Devi

....Petitioner

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. K.S. Sandhu, Advocate for the petitioner.

Mz. Sudeepti Sharma, DAG, Punjab.

JASWANT SINGH, J (ORAL)

This Court on 25.10.2013 while issuing notice of motion
had passed the following order:

“The petitioner, who belongs to the General Category had applied for the post of Block Extension Educator in response to Public notice dated 07.09.2011 (Annexure P-1) issued by the Directorate of Health and Family Welfare, State of Punjab. Under the condition of age relaxation, it was stipulated that candidates who have worked under the State Government or under any project of the Health and Family Welfare Department Punjab, relaxation would be granted up to the number of years of service rendered by such candidate subject to the condition that the said candidate must not exceed the maximum age limit of 45 years as on 01.01.2011.

Counsel submits that in the process of selection, the petitioner has secured 44.20 marks and her name figures at Serial No. 33 as against 44 posts of Block Extension Educators to be filled up from the General Category.

Grievance that has lead to the filing of the instant writ petition is that even though the date of birth of

the petitioner is 14.04.1971 and she having worked as multipurpose Health Worker (Female) under the respondent-Department since the year 29.02.1996 and would be attaining 39 years of age approximately as on 01.01.2011, she is being considered ineligible for the post by treating her as over age. Counsel contends that in the light of the specific stipulation as regards age relaxation contained in the notice dated dated 07.09.2011 (Annexure P-1), the petitioner is fully eligible to be appointed as Block Extension Educator in the light of her merit position.

Notice of motion, returnable for 07.12.2013.

In the meanwhile, one post of Block Extension Educator pertaining to the General Category shall be kept vacant.”

Upon notice, a reply by way of affidavit dated 26.5.2014 of Dr. Jatinder Kaur, Director Health Services (Family Welfare), Punjab has been filed wherein it has been stated that the petitioner was declared ineligible for appointment to the post of Block Extension Educator in the light of her non-possessing the required minimum qualification of Diploma in Journalism and not on account of being over-age.

Faced with the contents of the reply, learned counsel for the petitioner prays for withdrawal of the petition.

Dismissed as withdrawn.

September 19, 2016
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No