



CWP-2874-2023

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**235-6 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CWP-2874-2023

Date of decision: 07.11.2024

**DHOLA RAM AND ORS.****...PETITIONERS****VERSUS****STATE OF HARYANA AND ORS.****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. Ketan Antil, Advocate for the petitioners.

Mr. R.D. Sharma, DAG, Haryana.

Mr. Varun Gupta, Advocate for respondent No.7.

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**NAMIT KUMAR, J. (ORAL)**

1. The instant petition has been filed by the petitioners under Articles 226/227 of the Constitution of India, seeking a writ in the nature of certiorari, for setting aside the order dated 01.02.2023 (Annexure P-5) passed by respondent No.5 and order dated 20.01.2023 (Annexure P-2 to P-4) passed by respondent No.7, whereby the services of the petitioners have been terminated.
2. While issuing notice of motion on 13.02.2023, the following order was passed:-

*"Counsel for the petitioners contends that the petitioners, who were working as Tubewell Operators, have been relieved from service, vide orders Annexures P-2 to P-5, which have been passed without any show cause notice and without affording them any opportunity of personal hearing. Counsel contends that the respondents have violated instructions dated 24.08.2021, Annexure P-9.*

*Notice of motion.*

*On asking of the Court, Mr. R.K.S.Brar, Additional Advocate General, Haryana, accepts notice on behalf of respondents No.1 to 5. He submits that orders, Annexures P-2 to P-5, relieving to the petitioners, have been passed on the basis of resolutions of Gram Panchayat. He further submits that the petitioners have an alternate remedy of challenging*



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*the resolutions under Section 47 of The Haryana Panchayati Raj Act, 1994.  
List on 08.05.2023.  
To be heard with CWP-611-2023.  
In the meanwhile, operation of impugned orders, Annexures P-2 to P-4 shall remain stayed and services of the petitioners be not dispensed with, subject to the condition that their work and conduct is satisfactory."*

3. Learned counsel for the petitioners submits that the petitioners may be permitted to withdraw the present petition with liberty to avail alternative remedy under Section 47 of the Haryana Panchayati Raj Act, 1994.
4. Dismissed as withdrawn with liberty aforesaid.

07.11.2024  
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(NAMIT KUMAR)  
JUDGE

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