

**CWP-18001-1998 & connected case 2**

3. Learned counsel for the petitioner(s) submits that the petitioner(s) have continued working in the Department keeping in view the interim order granted by the Division Bench on 25.11.1998 and they are only the verge of their retirement as of now hence, throwing them out now, only on the basis that the petitioner(s) who were not appointed after their name was recommended by the employment exchange, will be too harsh especially when the petitioner(s) have worked for the last 27 years.

4. Learned counsel for the respondents submits that once the initial appointment of the petitioner(s) was not in accordance with law, their services were rightly dispensed with but concedes the factum that keeping in view the interim order passed, the petitioner(s) are continuing in service.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. Keeping in view the fact that no information was withheld by the petitioner(s) at the time of the recruitment and the petitioner(s) were recruited by the respondents themselves, coupled with the fact that the petitioner(s) have worked for 27 years as of now and are on the verge of the retirement, terminating their services on the ground that their names were not recommended by the employment exchange, will be too harsh keeping in view the facts and circumstances of the present case.

7. As of now, the petitioner(s) will not be able to get another employment if the benefit of present employment is withdrawn and the petitioner(s) will not be able to sustain themselves or their families and implementing the impugned order will cause much more prejudice as it would have caused in the year 1998 when their services were terminated.

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8. Keeping in view the facts and circumstances of the present case, by keeping the question of law open, the respondents are directed not to implement the order of termination any further.

9. The present writ petitions are disposed of in above terms.

10. A photocopy of this order be placed on the file of other connected case.

September 20, 2024*harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No