

**(2011) 09 P&H CK 0059**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** Civil Writ Petition No. 4575 of 1989 (O and M)

Sukhdev Kaur

APPELLANT

Vs

Market Committee and Others

RESPONDENT

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**Date of Decision:** Sept. 13, 2011

**Hon'ble Judges:** K. Kannan, J

**Bench:** Single Bench

**Final Decision:** Dismissed

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**Judgement**

K. Kannan, J.

The Petitioner seeks for relief of regularization of her services and also pleads that, she must be treated as senior to the 3rdRespondent since at the interview and selection, she had been placed higher in rank, but not selected. It appears that after the filing of the writ petition on 12.01.1989, the Respondents had also issued to the Petitioner an order of appointment to be selected to a regular post as a Head Clerk in Mandi Board from 01.01.1989 only, since at the time of interview, she had been overaged and relaxation had been specifically secured by a letter of communication from the Secretary of the Market Committee to the Mandi Board seeking for age relaxation for the Petitioner. As far as the 3rdRespondent was concerned, she was eligible along with yet another person and appointment orders appear to have been issued only to two persons against three vacancies and the Petitioner was not immediately appointed only because she had been overaged and the selection panel itself could not have granted to her an appointment without securing sanction from the Mandi Board.

2. As regards the first prayer relating to regularization, it is a matter of record that such regularization had been done. As regards the second prayer that she must be treated senior to the 3rdRespondent, it shall not become possible for a person, who was actually appointed subsequent to the 3rdRespondent's appointment, that is, after securing sanction for relaxation of the age criterion. The writ petition is, therefore, dismissed.