

CWP-35240-2025 and connected cases

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

272 (32 cases)

Date of Decision: 15.07.2026

1	CWP-35240-2025	ROHTAS KUMAR Vs STATE OF HARYANA AND OTHERS
2	CWP-8905-2026	SURESH KUMAR Vs STATE OF HARYANA AND OTHERS
3	CWP-35364-2025	JOGINDER SINGH Vs STATE OF HARYANA
4	CWP-36463-2025	JAGBIR SINGH Vs STATE OF HARYANA AND OTHERS
5	CWP-37343-2025	VIJAYENDER SINGH Vs STATE OF HARYANA AND OTHERS
6	CWP-1029-2026	VIJAY SINGH Vs STATE OF HARYANA AND OTHERS
7	CWP-1558-2026	RAN SINGH Vs STATE OF HARYANA AND OTHERS
8	CWP-18159-2026	KULINTA DEVI Vs STATE OF HARYANA AND OTHERS
9	CWP-19595-2026	JITENDER KUMAR KAUSHIK Vs STATE OF HARYANAAND OTHERS
10	CWP-2223-2026	RAM KUMAR Vs STATE OF HARYANA AND OTHERS
11	CWP-2599-2026	HARI SAWROOP Vs STATE OF HARYANA AND OTHERS
12	CWP-4811-2026	VIJAY SINGH Vs STATE OF HARYANA AND OTHERS
13	CWP-5123-2026	DEVENDER KUMAR AND OTHERS Vs STATE OF HARYANA AND OTHERS
14	CWP-5298-2026	SAJJAN SINGH Vs STATE OF HARYANA AND OTHERS
15	CWP-5299-2026	RAM PAL Vs STATE OF HARYANA AND OTHERS
16	CWP-5360-2026	GAJRAJ SINGH AND OTHERS Vs STATE

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		OF HARYANA AND OTHERS
17	CWP-5592-2026	RAMESH KUMAR Vs STATE OF HARYANA AND OTHERS
18	CWP-5605-2026	MAHINDER SINGH Vs STATE OF HARYANA AND OTHERS
19	CWP-5738-2026	SATPAL SINGH Vs STATE OF HARYANA AND OTHERS
20	CWP-5854-2026	PARDEEP CHAND SANGHI Vs STATE OF HARYANA AND OTHERS
21	CWP-5897-2026	PAT RAM Vs STATE OF HARYANA AND OTHERS
22	CWP-6142-2026	GIRRAJ SINGH AND ANOTHER Vs STATE OF HARYANA AND OTHERS
23	CWP-6173-2026	SULTAN SINGH Vs STATE OF HARYANA THROUGH ITS CHIEF SECRETARY TO GOVERNMENT OF HARYANA
24	CWP-6398-2026	SATYAWAN SINGH Vs STATE OF HARYANA AND OTHERS
25	CWP-6429-2026	DR DHIRAJ YADAV Vs STATE OF HARYANA AND OTHERS
26	CWP-6552-2026	PREM Vs STATE OF HARYANA
27	CWP-6609-2026	SUNITA DEVI Vs STATE OF HARYANA THROUGH ADDITIONAL CHIEF SECRETARY
28	CWP-6727-2026	YAD RAM Vs STATE OF HARYANA AND OTHERS
29	CWP-6819-2026	SATISH KUMAR AND ANOTHER Vs STATE OF HARYANA AND OTHERS
30	CWP-7184-2026	JASBINDER SINGH Vs STATE OF HARYANA AND OTHERS
31	CWP-7999-2026	JITENDER KUMAR KAUSHIK Vs STATE OF HARYANA AND OTHERS
32	CWP-8148-2026	RAM NIWAS Vs STATE OF HARYANA AND OTHERS

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CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. R.K Malik, Sr. Advocate with Mr. Sandeep Dhull, Advocate for the petitioner(s) in CWP-35364-2025 & 5360-5360-2026.

Mr. Balraj Singh Rathee, Advocate for the petitioner in CWP-35240-2025 (through VC).

Mr. Abhayjeet Singh, Advocate for the petitioner in CWP-2599-2026.

Mr. Karamveer Singh, Advocate for petitioner in CWP-6727-2026.

Mr. Ankit Chahal, Advocate for the petitioner(s) in CWP-6552, 6173 and 8905 of 2026.

Ms. Amarjeet Kaur, Advocate for Mr. Sukhbir Maandi, Advocate for the petitioner in CWP-5738-2026.

Mr. Vikas Chatrath, Sr. Advocate with, Ms. Samridhi, Advocate, Mr. Anirudh Malhan, Mr. Abhishek Sharma and Ms. Navdita Rathore, Advocates for the petitioner(s) in CWP-5123, 5592, 5605 & 5854-2026.

Mr. Ankur Kaushik, Advocate for the petitioner in CWP-6142-2026.

Mr. Vijay Pal with Mr. Ashish Kaushik, Advocates for the petitioner in CWP-6398-2026.

Mr. Jawahar Lal Goyal, Mr. Parth Goyal and Ms. Shallu Aggarwal, Advocates for the petitioner(s) in CWP-2223 & 5897-2026.

Mr. Sumit Sangwan, Advocate for the petitioners in CWP-37343-2025, 1558, 5298 and 5299 of 2026.

Mr. Sanjeev Kaushik, Addl. AG, Mr. Divyanshu Kaushik with Ms. Amisha Rana, Advocates for respondents-State (Haryana).

Mr. Vishal Garg Narwana, Advocate with Ms. Chetna Rao and Mr. Yadvinder Singh for respondent No.5 in CWP-8148-2026.

**HARPREET SINGH BRAR, J. (Oral)**

1. With the consent of learned counsel for the parties, the aforesaid writ petitions are being taken up together for adjudication, as they arise out of a common set of facts and involve identical questions of law. However, for the sake of brevity and convenience, the facts are being extracted from **CWP-35364-2025**.

2. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of an appropriate writ, order or direction, especially in the nature of *certiorari* for quashing the retirement order(s)/impugned action of the respondents whereby the petitioners have been retired from service on attaining the age of 58 years. Further a prayer is made for issuance of a writ in the nature of *mandamus* directing the respondents to grant the benefit of continuation in service up to the age of 60 years along with all consequential service benefits in terms of the judgment rendered by the Division Bench of this Court in ***Jora Singh and others Vs. State of Haryana and others (CWP-2340-2023 and connected matters)***, decided on 06.11.2025.

3. Learned Senior Counsel for the petitioners, *inter alia*, contends that the petitioners are employees of various departments of the State of Haryana and are persons with benchmark disabilities duly certified by the competent medical authorities under the provisions of the Rights of Persons with Disabilities Act, 2016 (hereinafter 'Act of 2016'). It is submitted that prior to the amendment dated 03.02.2026, Rule 143 of the Haryana Civil Services (General) Rules, 2016 (hereinafter 'HCSR') provided for

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enhancement of the age of superannuation from 58 years to 60 years in respect of employees with a disability of 70% and above as well as blind employees. The said provision was challenged before a Division Bench of this Court in *Jora Singh and others Vs. State of Haryana and others (CWP-2340-2023 and connected matters)*, wherein it was held that all persons having benchmark disabilities constitute one homogeneous class and the benefit of enhanced age of superannuation could not be confined only to blind employees or employees with disability of 70% and above. Consequently, the benefit of extension in service up to the age of 60 years was held to be available to all employees possessing benchmark disabilities in terms of the Act of 2016.

3.1 It is further contended that the petitioners had acquired a vested and accrued right to continue in service up to the age of 60 years in view of the judgment rendered in *Jora Singh (supra)* and, in several cases, consequential orders extending the date of retirement had already been issued by the competent authorities. Learned counsel submit that the subsequent notification dated 03.02.2026, whereby the benefit of extension in service to persons with disabilities has been omitted from Rule 143 of the HCSR, cannot operate retrospectively so as to divest the petitioners of rights which had already accrued in their favour. It is argued that the amendment does not expressly provide for retrospective operation and, therefore, employees who had already attained the benefit of continuation in service prior introduction of the amendment, cannot be deprived thereof. It is also contended that the omission of the benefit of enhanced age of



superannuation to persons with disabilities is contrary to the object and spirit of the Act of 2016 and the constitutional philosophy.

4. *Per contra*, learned State Counsel opposes the prayer made in the present petition(s) and submits that the controversy involved herein is no longer *res integra*. It is argued that the validity and effect of the notification dated 03.02.2026 has already been considered by a Division Bench of this Court in ***Rajnish Kumar and others Vs. State of Haryana and others, CWP-5224-2026***, wherein it has been categorically held that no employee can claim continuation in service beyond the age of 58 years after the implementation of amendment dated 03.02.2026 and that the amended Rule 143 of HCSR would apply even to current employees. It is, thus, submitted that the present petitions deserve dismissal in view of the binding precedent rendered by the Division Bench.

5. I have heard learned counsel for the parties and have perused the paper-books with their able assistance.

6. The principal contention raised on behalf of the petitioners is that the amendment dated 03.02.2026 cannot be applied to employees who had already acquired a right to continue in service up to the age of 60 years on the strength of the judgment rendered in ***Jora Singh (supra)***. However, a similar contention stands considered by the Division Bench in ***Rajnish Kumar (supra)***, wherein the effect of the amendment dated 03.02.2026 and its applicability to existing employees was directly in issue.

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7. After examining the scheme of Act of 2016, the scope of Rule 143 of the HCSR and the effect of the amendment dated 03.02.2026, the Division Bench of this Court in ***Rajnish Kumar (supra)*** has categorically held that no vested or indefeasible right accrues in favour of an employee with regard to the age of superannuation and that the State, in exercise of its powers under Article 309 of the Constitution of India, is competent to alter the conditions of service, including the age of retirement. It was further held that upon the amendment coming into force on 03.02.2026, no existing employee could claim continuation in service till the age of 60 years.

8 Since a categorical finding has been returned by the Division Bench in ***Rajnish Kumar (supra)*** that the amendment to Rule 143, HCSR shall also apply to the existing employees and that no employee can claim extension of service beyond 58 years of age, judicial propriety demands that the conclusion arrived at therein be uniformly applied. As such, it would be unsuitable for this Court to delve into the issues raised by the learned counsel for the petitioner(s). Insofar as the reliance placed by the petitioners upon ***Jora Singh (supra)*** is concerned, the same would not advance their case in view of the subsequent authoritative pronouncement of the Division Bench in ***Rajnish Kumar (supra)***.

9. This Court finds that the issue sought to be raised by the petitioners is squarely covered by the aforesaid judgment of the Division Bench. Once a categorical finding has been recorded by the Division Bench that the amended Rule 143 is applicable even to existing employees and that no employee can claim continuation in service beyond the age of 58 years

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after 03.02.2026, judicial discipline and propriety require this Court to uniformly apply the said view. It would, therefore, not be appropriate for this Court to re-examine the very same issue.

10. In view of the above, all the writ petitions are hereby dismissed.

11. However, in terms of paragraph 37 of the judgment rendered in ***Rajnish Kumar (supra)***, if any of the petitioners have continued in service beyond the age of 58 years by virtue of interim orders passed by this Court, they shall be entitled to protection of service benefits, including salary, pensionary and other consequential benefits, for the period they have actually worked. The competent authority shall examine the claim of each petitioner individually and pass appropriate orders in accordance with law.

12. Pending miscellaneous application(s), if any, shall also stand disposed of.

13. Photocopy of this order be placed on the files of connected cases.

(HARPREET SINGH BRAR)
JUDGE

15.07.2026

Puneet Chawla

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No