

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

CWP No. 18124 of 2014
Date of decision: 18.11.2015

Manjit Singh Bhalla

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Vikas Singh, Advocate,
for the petitioner.

Mr. Avinit Avashti, AAG, Punjab.

Mr. Anupam Singla, Advocate.

G.S.SANDHAWALIA, J. (Oral)

Challenge in the present writ petition is to the order dated 29.08.2014 (Annexure P-3) whereby, the earlier office order dated 23/26.05.2014 was cancelled and the service tenure was only extended upto 30.08.2014.

It is not disputed that the petitioner was appointed as District Manager of the Mid-Day-Meal being a retired employee of MILKFED. The appointment was purely contractual on a fixed amount of remuneration and the contract was for a period of one year. The same was extended time and again upto 30.06.2015 but now sought to be withdrawn in view of the fact that there was a policy decision not to give the employment beyond the age of 65 years. In view of the policy decision of the respondent-authority as per the terms of the contract itself, the petitioner cannot claim any extension as a matter of right. Clauses 11 and 12 read thus:-

“11. The rules and policies of State Mid-Day-

Meal Cell, Punjab governing all the matters specified above including on matter such as designation, working hours, etc. are subject to change without any notice.

12. You will be governed by State Mid-Day-Meal Cell, Punjab rules as well as practices/policies enforced by State Govt./Govt. of India from time to time in respect of matters not covered by this letter. State Mid-Day-Meal Cell, Punjab/State Govt./Govt. of India decisions on all such matters shall be final and binding on you.”

The petitioner was bound with all the policies enforced by the State, as per the terms of the contract.

In such circumstances, if a decision has been taken not to extend the age beyond 65 years, no fault can be found in the same and there is no ground for interference under Articles 226 and 227 of the Constitution of India and the present writ petition is accordingly dismissed.

18.11.2015
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(G.S. SANDHAWALIA)
JUDGE