

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

CWP No. 19360 of 2015
Date of decision: 14.09.2015

Jaswant Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

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

G.S.SANDHAWALIA, J. (Oral)

Challenge in the present writ petition is to the order dated 31.08.2015 (Annexure P-9) whereby, the petitioner's first extension of service from 01.05.2015 to 30.04.2016 has been cut short and he has been retired w.e.f. 31.08.2015.

The reasoning which has weighed with the respondents is that there is a charge sheet against the petitioner under Rule 8 of Punjab Civil Services (Punishment and Appeal) Rules, 1970 and in view of the instructions issued by the Government dated 30.04.2014 and 07.01.2015, the extension in service is to be reviewed in such cases. The said instructions were subject matter of consideration in ***CWP No. 3847 of 2015, Iqbal Mohammad vs. State of Punjab*** decided on 24.04.2015 whereby, the employees who had been granted extension were aggrieved against the cutting short of the extension period on account of charge sheets and criminal proceedings and it was held that extension was a mere concession and could be curtailed without grant of opportunity of hearing.

By a judgment of even date, the Co-ordinate Bench had also

decided a similar matter on the same principle in ***CWP No. 3826 of 2015, Romesh Garg vs. State of Punjab*** where extension had been denied, which was further upheld by the Division Bench in ***LPA No. 776 of 2015, Ashok Arora vs. State of Punjab*** decided on 20.05.2015. The Division Bench took a view that the extension in service is a mere concession and there was no infirmity in the order of the learned Single Judge being a correct statement of law.

The present case also stands covered by the above said judgments whereby, in view of the instructions, the official who being charge sheeted for major penalty under Rule 8 has been held not entitled to continue on extension.

In such circumstances, there is no scope for interference in the impugned order and the present writ petition is accordingly dismissed.

14.09.2015
shivani

(G.S. SANDHAWALIA)
JUDGE