

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 22705 of 2015
Date of decision: 21.10.2015

Anil Sandhir

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. R.K. Arora, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks the relief of continuation in service till the age of 60 years by virtue of being physically handicapped and thus invoking the provisions of The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. Reliance has been placed upon the judgment of this Court in ***CWP No. 7233 of 2010, Bhupinder Singh vs. State of Punjab and others*** decided on 25.05.2011 (Annexure P-7) to submit that the said judgment has been upheld by the Apex Court and the petitioner is entitled for similar relief on account of the disability certificate (Annexure P-1) as he is a recipient of kidney transplant.

It is the pleaded case of the petitioner that he is working as an Administrative Officer with respondent no. 3 and was to retire at the age of 58 years on 30.09.2015. He accordingly filed a representation dated 23.09.2015 (Annexure P-10) for extension to serve till the age of 60 years i.e. 30.09.2017 which was repeated on 24.09.2015 (Annexure P-11). A subsequent representation was also filed on 29.09.2015 (Annexure P-14)

that his case be recommended for extension or his claim may be considered in terms of the Government instructions dated 08.10.2012 (Annexure P-13) but no action has been taken on the same.

Counsel submits that he would be satisfied at this stage if a direction is issued to the respondents to take a decision on the above mentioned representations within a time bound frame.

Accordingly, keeping in view the limited relief sought, this Court does not feel necessary to call upon the respondents to file reply.

Accordingly, this writ petition is disposed of with a direction to respondent no. 1 to take into consideration the representations dated 23.09.2015, 24.09.2015 and 29.09.2015 (Annexures P-10, 11 and 14) respectively and decide the same within a period of 1 month from the date of receipt of certified copy of the order regarding the entitlement of the petitioner to continue till the age of 60 years as per the necessary instructions. Needless to say that in case the relief is to be denied, the order should contain reasons.

21.10.2015
shivani

(G.S. SANDHAWALIA)
JUDGE