

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

CWP No.3729 of 2015 (O&M)

Date of Decision: 27.02.2015

Tarsem Singh

... Petitioner

VS.

UT Chandigarh & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE RAJ MOHAN SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Present: Mr. Karanvir Singh Khehar, Advocate for the petitioner

SURYA KANT, J. (Oral)

(1) The petitioner's case is that the Punjab Government Notification-cum-Instructions dated 07.01.2015 (Annexure P6) have been duly adopted by the Chandigarh Administration, in terms whereof the petitioner is entitled to seek extension in service beyond the age of 58 years.

(2) The petitioner is to retire tomorrow i.e. 28.02.2015 on attaining the age of 58 years. The petitioner appears to have not been granted extension on the ground that disciplinary proceedings are pending against him.

(3) It is pointed out that in identical circumstances, Inspector Anokh Singh and Inspector Kuldeep Singh have been granted extension in service vide order (Annexure P7 colly) though disciplinary proceedings are/were pending against them as well.

(4) The petitioner has already approached the Central Administrative Tribunal, Chandigarh Bench, Chandigarh seeking his continuation in service beyond the age of 58 years as per the extended age of retirement. The Tribunal has issued notice for 05.03.2015. It is obvious that the Tribunal is yet to decide the petitioner's prayer for interim relief.

(5) We thus dispose of this writ petition at this stage without expressing any views on merit with a direction that let *status quo re*: retirement of the petitioner be maintained till 05.03.2015 and/or till the petitioner's prayer for interim relief is decided by the Tribunal.

(6) The Tribunal shall decide the petitioner's prayer for interim relief uninfluenced of the observations made hereinabove, expeditiously and preferably within two weeks.

(7) Disposed of.

(8) Let a copy of this order be issued **dasti** on payment of usual charges.

(Surya Kant)
Judge

27.02.2015
vishal shonkar

(Raj Mohan Singh)
Judge