

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

CWP No.6026 2015

Date of decision: 31.03.2015

Bhag Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. SS Salar, Advocate, for the petitioner.

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?

ARUN PALLI J. (Oral)

Writ in the nature of mandamus is prayed for, directing the respondents to consider and decide the claim of the petitioner for extension of one year in service on attaining the age of superannuation i.e. 31.03.2015. Further, to quash a part of the clarificatory instructions dated 14.10.2015 (Annexure P4), which postulates that in case a departmental proceeding/criminal case/vigilance case is pending against an employee, he/she shall not be given extension, rather such a case would be considered by a Committee constituted for that purpose. It is maintained that the petitioner had exercised his option for extension of one year service on attaining the age of superannuation i.e. 31.03.2015, in terms of the notification No.22/2/2012-3 FP2/475-480, dated 08.10.2012, issued by the Government. So much so, the claim of the petitioner was

even recommended by the Chief Parliamentary Secretary/ Technical Education and Industrial Training Department, Punjab to the Principal Secretary, General Administration Department, vide letter dated 18.03.2014 (Annexure P12). However, the matter is still pending consideration before respondent No.1, as no formal decision is yet taken.

Learned counsel for the petitioner submits that, at this stage, let this petition be disposed of with a direction to the respondent No.1, to consider and decide his representation dated 18.03.2015 (Annexure P11), within a specified time by passing a speaking order.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondent No.1 to consider and decide the claim of the petitioner, as set out in the representation dated 18.03.2015 (Annexure P11), strictly in accordance with law, within a period of one month from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

March 31, 2015
Rajan

(Arun Palli)
Judge