

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No.749 of 2010

N.P. Gupta, S/o Shri M.P. Gupta, aged about 57 years, R/o Quarter No.M.C. 58, Patal Nagar, Kirandul, District Dantewada (C.G.)

---- Petitioner

Versus

Thok Upbhokta Sahkari Bhandar Maryadit, Kirandul, Through President Thok Upbhokta Sahkari Bhandar Maryadit, Kirandul, District Dantewada (C.G.)

---- Respondent

---

|                 |                                  |
|-----------------|----------------------------------|
| For Petitioner: | Mr. Anil Kumar Pandey, Advocate. |
| For Respondent: | Mr. Vinod Deshmukh, Advocate.    |

---

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

17/10/2016

1. Counsel for the parties submit that identical issue has been decided by this Court in W.P.(S)No.2914/2008 (Govind Lal Thakur v. Thok Upbhokta Sahkari Bhandar Maryadit, Kirandul) by order dated 24-1-2011 of which paragraphs 5 and 6 state as under: -

"5. The Supreme Court in the matter of **M.P. Vidyut Karmchari Sangh v. M.P. Electricity Board**<sup>1</sup> has held as under :

"45. Alterations in the age of retirement by the employer is a matter of executive policy and for sufficient and cogent reasons, the same is permissible."

6. In view of foregoing, as the fixation of age of retirement falls within the domain of policy of

---

1 (2004) 9 SCC 755

the employer, the petitioner is not entitled to any relief."

2. Since the matter is covered by the aforesaid decision of the coordinate Bench of this Court, the instant writ petition is dismissed in terms of paragraphs 5 and 6 of the order passed by the coordinate Bench in **Govind Lal Thakur** (supra). No order as to cost(s).

Sd/-  
(Sanjay K. Agrawal)  
Judge