

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

Sr. No.112

CWP-10605-2016

Decided on : 26.05.2016

Inderjit Singh

..... Petitioner

VERSUS

HUDA, Panchkula and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Ankur Lal, Advocate, for the petitioner.

DEEPAK SIBAL, J. (ORAL)

Through the present petition, on the strength of policy of the Government dated 31.01.2006 read with instructions dated 21.04.2008 which as per learned counsel for the petitioner have been adopted by the respondent-Authority, the petitioner who serves the respondent-Haryana Urban Development Authority (hereinafter referred to as the 'Authority') as a Foreman, seeks extension of his service from 58 to 60 years.

A perusal of the afore-referred policy dated 31.01.2006 read with instructions dated 21.04.2008 shows that all employees who possess the minimum of 70% disability are entitled to continue in service upto the age of 60 years provided that their disability is certified by a Medical Board of the P.G.I.M.S., Rohtak (hereinafter referred to as the 'Institute') of which the Director of the Institute is personally the Head of.

Learned counsel for the petitioner has drawn my attention to the report dated 30.03.2016 of the Medical Board of the Institute wherein it

had been certified that the petitioner is having 70.3% hearing loss. He has further referred to the recommendations made by the Executive Engineer, HUDA Division, Karnal (Annexure P-6) as also the Superintending Engineer, HUDA Circle, Karnal (Annexure P-7) through which the petitioner's case has been recommended to the Chief Engineer, HUDA, Panchkula, for grant of extension in service to the petitioner. It is submitted that in spite of the afore-referred facts, no final decision on the grant of extension in service of the petitioner has been taken and in the meanwhile, on 31.05.2016 on attaining the age of 58 years the petitioner would superranuate.

Learned counsel for the petitioner submits that at this stage, he would be satisfied if the present writ petition is disposed of with a direction to respondent No.2 to take a final decision on the recommendations made by the Executive Engineer, HUDA Division, Karnal (Annexure P-6) as also the Superintending Engineer, HUDA Circle, Karnal (Annexure P-7) to the Chief Engineer, HUDA, Panchkula, for grant of extension in service to the petitioner.

I find the prayer made by learned counsel for the petitioner to be reasonable.

Accordingly, at this stage, without commenting on the merits of the case, the writ petition is disposed of with a direction to respondent No.2 to take a final decision on the recommendations (Annexure P-6 and Annexure P-7), by passing a speaking order and after affording opportunity of hearing to the petitioner, preferably within two weeks from the date of receipt of a certified copy of this order.

Needless to add that the decision so taken be communicated to

the petitioner and if the decision is not to the satisfaction of the petitioner,
he would be at liberty to challenge the same, in accordance with law.

26.05.2016
shamsher

[DEEPAK SIBAL]
JUDGE