

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 11045 of 2016 (O&M)

Date of Decision: 12.07.2016.

Balwant Singh

--Petitioner

Versus

State of Haryana and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Jagbir Malik, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

Petitioner challenges the findings returned by a Medical Board of doctors of Pt. B.D. Sharma P.G.I.M.S., Rohtak (duly constituted) and whereby the permanent physical disability element of the petitioner has been assessed as 63%. Petitioner is further aggrieved inasmuch as based on such findings he has been retired from service upon attaining the age of 58 years and thereby denying to him the benefit of 2 years service extension in the light of instructions dated 31.1.2006 (Annexure P-5) and which benefit is admissible only to such employees who suffer from a permanent physical disability of 70% or more.

Upon being confronted that this Court lacks the expertise to examine the findings recorded by a Board of Doctors duly constituted, counsel would respond that the petitioner is in the process of getting himself examined before the Medical Board of P.G.I.M.S., Chandigarh and in view of such situation he be permitted to withdraw the present petition with liberty to approach this Court afresh in the eventuality of the Medical Board, P.G.I.M.S., Chandigarh returning a finding in his favour and assessing his permanent physical disability element to be 70% or more.

Prayer is allowed.

Dismissed as withdrawn with the liberty, as prayed for.

(TEJINDER SINGH DHINDSA)
JUDGE

12.07.2016.