

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

**Civil Writ Petition No.14560 of 2016  
Date of Decision: 25.07.2016**

Hakam Singh Garewal

..... **Petitioner**

*Versus*

State of Punjab and another

..... **Respondents**

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH**

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

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**JASWANT SINGH, J. (Oral)**

The petitioner has retired from the rank of Upper Division Clerk on attaining the age of superannuation of 58 years w.e.f. 31.03.2015 from the Punjab State Power Corporation Ltd. (respondent No.2).

He claims himself to be suffering from 60% locomotor disability with restricted movement of hip leading to shortening of the left leg. His grievance is that he is not being allowed the benefit of additional two years of extended service in terms of the instructions dated 19.11.2014 (**Annexure P-4**).

Learned Counsel for the petitioner contends that in the light of the judgments passed by this Court at **Annexures P-16** and **P-17**, the petitioner is also entitled to at least the remaining portion of the service till attainment of 60 years i.e. till 31.03.2017.

After hearing learned Counsel for the petitioner, no case for interference is made out.

No doubt, in terms of the instructions (P-4), the petitioner would be entitled to extension in service, however, he stood retired on 31.03.2015 on attaining the age of superannuation and thereafter, concededly, received all the retiral benefits without any protest.

In the relied judgments, the petitioner had approached this Court before their dates of retirement and, therefore, were permitted the benefit of the remaining period of their service till they attained the age of 60 years as some portion of the extended two years stood lapsed due to the pendency of their writ petitions before this Court. The facts of the present case are thus clearly distinguishable.

The petitioner is thus estopped now by his own conduct to agitate for grant of extension based on such instructions, moreso, after a lapse of 01 year and 04 months.

In view of the above, the present petition stands dismissed.

July 25, 2016

Gagan

(JASWANT SINGH)  
JUDGE

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable        | No  |