

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

CWP No.23236 of 2012 (O&M)

Date of Decision:10.02.2016

Tarsem Chand

.....Petitioner

Vs.

State of Punjab and anotherRespondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present:- Mr. Saurabh Arora, Advocate for the petitioner.

Mr. Harkesh Manuja, Additional Advocate General, Punjab.

Ms. Apanjyot S. Virk, Advocate for Mr. P.S. Thiara, Advocate
for respondent No.2.

RAJIV NARAIN RAINA, J.(Oral)

Parties are ad idem that this matter is covered by the decision in LPA No.1719 of 2011 – **State of Punjab and others v. Bhupinder Singh**, against which Special Leave Petition has been dismissed by the Supreme Court. As a result, differently abled persons as defined under the Policies and in terms of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 would continue in service beyond 58 years upto 60. The petitioner has been deprived of this valuable opportunity. The petitioner would have continued in service, had he been granted extension on 31.11.2014. Since the petitioner cannot be returned to the service any longer, this petition is allowed partially to the extent that the petitioner would be entitled to pay and allowances for the period which he would have served had the petitioner been given the opportunity to serve upto 60. The arrears of the pay are directed to be

calculated and paid to the petitioner within two months from the date of receipt of a certified copy of this order. The petitioner would be entitled to 12% interest thereon till realisation.

February 10, 2016
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(RAJIV NARAIN RAINA)
JUDGE