

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.22742 of 2015 (O&M)

Date of Decision: 27.07.2017

Narinder Kumar

--Petitioner

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. Arun Singla, Advocate for the petitioner.

Ms. Monica Chhibber Sharma, Sr. D.A.G., Punjab.

Mr. Anupam Singla, Advocate for P.R.T.C.

TEJINDER SINGH DHINDSA.J

Petitioner, who is suffering from a permanent physical disability element of 80% (locomotor disability) and was an employee of the Pepsu Road Transport Corporation (herein after to be referred as the Corporation), filed the instant writ petition seeking benefit of enhancement of retirement age from 58 years to 60 years on the strength of Circular dated 19.11.2014 (Annexure P-3), issued by the Punjab State Govt., Department of Personnel.

Pleadings on record would indicate that order dated 12.10.2015 was passed retiring the petitioner from service w.e.f. 31.10.2015 i.e. upon completion of 58 years of age.

On 21.10.2015 while issuing notice of motion, this Court had issued interim directions to the effect that the petitioner be not retired upon the age of 58 years and be permitted to continue in service.

It is by virtue of the interim order which is in operation till date that the petitioner is continuing to serve under the Corporation. The

retirement of the petitioner, if, the age of superannuation is to be taken as 60 years, would be 31.10.2017.

During the course of resumed hearing today, counsel for the petitioner has furnished for perusal of this Court an order bearing No.759 dated 5.2.2016 in vernacular and as per which the Board of Directors of the respondent-Corporation in its 226th meeting held on 29.9.2015 has taken a decision vide Agenda Item No.226.2 and whereby the age of retirement of handicapped employees i.e. (i) Blind (ii) Hearing impaired (iii) Locomotor disability or Cerebral palsy has been enhanced to 60 years in the light of notification/circular dated 19.11.2014.

As per order dated 5.2.2016, the petitioner was called upon to undergo a medical examination and the necessary certificate from the Civil Surgeon, Patiala certifying the petitioner to be physically handicapped (locomotor disability) has been made available and a decision in principle has been taken for enhancing the age of retirement of the petitioner to 60 years.

Copy of the order bearing no.759 dated 5.2.2016 has also been supplied to counsel representing the Corporation and who does not dispute the contents thereof.

In the light of such development, the instant writ petition has been rendered infructuous and is disposed of accordingly.

(TEJINDER SINGH DHINDSA)
JUDGE

27.07.2017
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No