

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

CWP-30055 of 2017 (O&M)

Date of Decision: 27.12.2017

Ashok Kumar Bansal

--Petitioner

Versus

State of Punjab & others

--Respondents

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

Present:- Mr. Jatinder Pal Singh, Advocate for the petitioner.

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TEJINDER SINGH DHINDSA, J. (ORAL).

As per pleadings on record, petitioner is serving on the post of Naib Tehsildar under the Revenue Department on substantive basis. Petitioner was given current duty charge of the post of Tehsildar on 09.12.2014 and on which he continues to hold as of date. Date of birth of the petitioner is 01.01.1960 and as such, he is due to retire on 31.12.2017 upon attaining the age of superannuation.

Counsel would submit that the conditions of service of the petitioner would be governed by the Punjab Civil Services Rules and in reference to Rule 3.26 wherein age of retirement has been defined, the Government of Punjab on 20.09.2013 and on subsequent dates as well, had taken a decision to grant extensions in service to employees falling in Group A, B, C and D. On 30.10.2015, State of Punjab is stated to have been issued a Notification amending Punjab Civil Services Rules, Volume 1, Part 1 (Rule 3.26) and whereby services of the government employees could be extended up to two years on yearly basis.

The precise grievance put forth by the petitioner is that an

option was exercised on 28.11.2017 seeking extension of his service for a period of one year i.e. from 01.01.2018 to 31.12.2018 and on which no decision has been taken till date.

Counsel prays that he would be satisfied if directions were to be issued to the Competent Authority to take a final decision on the option exercised by the petitioner within a definite time frame.

Prayer made by counsel is found to be just and reasonable.

As such, without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the instant petition with a direction to respondent No.1 i.e. the Secretary, Department of Revenue, State of Punjab/Competent Authority to examine the option submitted by the petitioner seeking extension in service for a period of one year strictly in accordance with law and as per relevant Instructions/Notification issued by the State of Punjab. A final decision thereupon be taken expeditiously and in any case within a period of two weeks from the date of receipt of a certified copy of this order.

It is clarified that merely because the petitioner would superannuate on 31.12.2017 would not be an impediment in considering the case of the petitioner seeking extension in service.

Disposed of.

27.12.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No