

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

**CWP No. 9731 of 2016
Date of decision: 03.05.2017**

Amarjit Singh

...Petitioner

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. R. K. Sharma, Advocate
for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

Mr. R. Kartikeya, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

The petitioner herein was an employee of Punjab Ex-Servicemen Corporation (*for short 'PESCO'*). Though the petitioner was due to retire at the age of 58 years, extension in service was given to him till 31.03.2016.

It is submitted that matter regarding revision of the retirement age of Group 'D' employees was considered as Agenda Item No. 127.07 by the Board of Directors of PESCO, wherein, it was noted as under:

“PESCO is following Punjab Government Rules in respect of recruitment, disciplinary procedure, Pay & Allowances and leave rules etc. Age limit for all regular employees of PESCO in Group 'A' to 'D' has been fixed at 58 years. However, age limit for Group 'D' employees of PESCO is not in conformity with Punjab Government Civil Service Regulations and it is proposed that age limit of Group 'D' regular employees of PESCO be brought at par with age

limit in respect of Group 'D' employees of Punjab Government.

For consideration and approval of the BOD. If approved, Managing Director, PESCO be authorized to get the suitable amendment in PESCO Service Regulations 1993.”

It is urged that in case a decision is taken, the petitioner herein would be entitled to extension of service for another two years upto the age of 62 years which would be in conformity with *Punjab Government Civil Service Regulations* pertaining to Group 'D' employees.

Learned counsel appearing on behalf of respondent No. 2, on instructions from Sh. Varinder Singh, Legal Assistant, PESCO, submits that a decision has been taken by the Board to refer the matter to the State Government and it is only thereafter on receipt of approval from the Government, any such decision can be taken to grant extension to the petitioner.

I have heard learned counsel for the parties and in view of the fact that the matter has already been placed before the State Government regarding grant of extension in service to Group 'D' employees of PESCO, this writ petition is disposed of giving a direction to the State Government to take a decision on the reference made within a period of one month from the date of receipt of certified copy of this order. In case, a decision is taken to extend the age of retirement, the petitioner be considered for the same.

May 03, 2017

Ansari

**(JAISHREE THAKUR)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*