

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

COCP 678/2018

Date of decision:27.02.2018.

Roshan Lal

.....Petitioner

v.

SS Dhillon

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Dr.B.B.Kaushik,Advocate for the petitioner

Jaswant Singh,J,(Oral).

Petitioner on attaining the age of superannuation of 58 years was made to retire w.e.f. 30.6.2016 from the rank of Mechanic under Haryana Roadways, Department of Transport. He claimed himself to be hearing impaired with 100% disability and therefore, entitled to two years extension in service.

Writ petition bearing CWP 12839/2016 filed by him was disposed of vide order dated 8.7.2016. The operative portion of the judgment dated 8.7.2016 reads as under:-

“The submission made by the counsel for the petitioner is also recorded that there was delay on the part of the petitioner while applying for the benefit of extension of service and as such, in case claim of the petitioner were to be accepted for grant of extension of 2 years, the petitioner would forego the salary for the period that he has not worked i.e. after attaining the age of 58 years and upto the date an order is passed granting him extension for a period of 2 years”.

It is a conceded that in compliance of the said order the petitioner was made to join on 19.9.2016 and would now retire on 30.6.2018.

Counsel for the petitioner submits that petitioner was entitled to

salary w.e.f. 8.7.2016 till 19.9.2016 and for denying the same respondents have committed contempt of Court.

After hearing counsel for the petitioner and perusing the aforesaid order, no contempt is made out.

It is categorically recorded that the petitioner would not be entitled to any salary after attaining the age of 58 years till an order is passed granting him an extension for 2 years. The respondents have promptly considered his case and passed the order permitting him to join w.e.f. 19.9.2016.

Dismissed.

27.02.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No