

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

204

CWP No.1470 of 2016 (O & M)
Date of Decision: September 25, 2018

Janak Rani & another

.....PETITIONER(s).

VERSUS

State of Punjab and others

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Harkirat Singh, Advocate for
Mr. S.S. Bhinder, Advocate
for the petitioners.

Ms. Sudipti Sharma, Addl. AG, Punjab
for respondent No.1/State.

Mr. J. R. Syal, Advocate
for respondent No.2.

JASWANT SINGH, J. (ORAL)

Petitioners while serving in the rank of Senior Assistants (Accounts) with the Punjab Backward Classes Land Development and Finance Corporation (BACKFINCO) have retired w.e.f. 31.12.2015 and 31.10.2015 respectively on attaining the age of superannuation of 58 years.

The grievance of the petitioners is that in terms of the optional extension policy dated 27.02.2013 (Annexure P-1) applicable to the respondent No.2 - Board, the benefit of extension in service has not been extended.

In the reply, the respondents have stated that a decision was taken by the competent authority in the meeting held on 26.03.2015 (Annexure R-2) that due to the financial crunch faced by the Corporation, the benefit of the extension in service would not be extended to the employees. It is further stated that decision at Annexure R-2 is ratified by

the Government vide order dated 10.06.2015 (Annexure R-3).

Counsel for the parties heard.

The action of the Corporation for not granting the benefit of extension in service under the optional extension policy dated 27.02.2013 (Annexure P-1) is squarely covered by the conditions specified in Clause 4 Sub-Clause (c) (iii) of said policy (Annexure P-1), extracted portion of which reads as under:-

“4. (A) XXXX
 (B) XXXX
 (C) XXXX
 (i) XXXX
 (ii) XXXX
(iii) In case on giving one year extension to employees financial position of any concern deteriorates or affected then one year extension will not be given to those employees.”

It is also apparent that in view of the aforesaid Clause 4 (C) (iii), the Board of Governors had taken a decision not to grant extension in service vide Annexure R-2, which was duly ratified by the Government vide order dated 10.06.2015 (Annexure R-3).

In view of the aforesaid circumstances, no ground for interference is made out.

Dismissed.

(JASWANT SINGH)
 JUDGE

September 25, 2018
 A.Kaundal

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