

277

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

**CWP No.10854 of 2018 (O&M)
Date of Decision: 11.09.2018**

HARBANS LAL

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. R.K. Arora, Advocate for the petitioner.

Mrs. Anju Sharma Kaushik, DAG, Punjab.

JASWANT SINGH, J. (ORAL)

Petitioner (Harbans Lal) joined as a Lecturer in English on 11.10.1989 in the Department of Education, Punjab and was promoted as Principal on 16.02.2010.

By filing the present petition, he seeks quashing of the order dated 16.04.2018 (**Annexure P-7**), whereby his claim for granting him one year extension in service from 01.04.2018 to 31.03.2019 has been declined on account of issuing a chargesheet dated 04.04.2018 (**Annexure P-5**), as also quashing the said chargesheet (**P-5**).

This Court, while issuing notice of motion vide order dated 02.05.2018 had passed the following order:-

*“ Petitioner while working in the rank of Principal with the Department of Secondary Education, Punjab was to reach the age of superannuation of 58 years on 31.03.2018 and had been recommended for extension in service vide memo dated 23.01.2018 (**P-4**) in terms of the optional Extension Policy dated*

30.10.2015 (P-3). However, vide impugned order dated 12/24.04.2018 (P-7), the extension has been denied on the basis of the impugned charge sheet dated 4.4.2018 (P-5).

It is inter alia contended that issuance of charge sheet suffers from legal malafide, as also the alleged two charges are ex-facie contrary to the record.

Notice of motion for 28.05.2018.

On the asking of the Bench, Mr. Navdeep Chabbra, Deputy Advocate General, Punjab accepts notice on behalf of all the three respondents.

Learned Counsel for the petitioner undertakes to furnish four copies of writ petition to the learned State Counsel during the course of the day.

Till the next date of hearing, petitioner shall be permitted to continue in service assuming that he has been granted extension in service w.e.f 01.04.2018. It is directed that in case the petitioner has been relieved he shall be put back on extension service forthwith. ”

Upon notice, no reply has been filed.

At the time of hearing today, learned counsel for the petitioner prays for withdrawal of the present writ petition.

Dismissed as withdrawn.

September 11, 2018

'rajneesh'

**(JASWANT SINGH)
JUDGE**

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