

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.122

CWP-11632-2018

Date of decision : 09.05.2018

Davinder Singh Bajwa

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R.K. Malik, Sr. Advocate with
Mr. Samrat Malik, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

Learned senior counsel for the petitioner states that the petitioner is working as Chief Engineer with Public Health Engineering Department and is due to retire on 31.05.2018. He had met with an accident in the year 2014 and has become physically handicapped. There is a policy dated 21.04.2008 (Annexure P-1), which provides that persons, who are physically handicapped to the extent of 70% or above, are entitled for relaxation of the age of superannuation from 58 years to 60 years. As per said policy, the competent authority to issue a medical certificate is PGIMS, Rohtak. The petitioner has submitted a representation dated 26.03.2018, to respondent No.3 for constituting a Medical Board to examine the petitioner, but the said representation was returned in original vide memo dated 01.05.2018, with a direction to forward the representation through the Head of the Department. Thereafter, the petitioner has submitted a representation dated 02.05.2018, to the Head of the Department for forwarding his request to respondent No.3 for constituting a Medical Board, but no action has been taken thereupon till date. In fact, earlier also the petitioner had written to the Head of the Department for forwarding his case to respondent No.3.

Notice of motion.

Mr. Hitesh Pandit, AAG, Haryana, accepts notice on behalf of respondent-State. Two copies of the petition have been handed over to him .

In view of the nature of the order being passed, there is no necessity to seek written statement, at this stage.

The petition is disposed of with direction to respondent No.2 to forward the case of the petitioner to respondent No.3, within a period of five days from the date of receipt of a certified copy of this order. Thereafter, respondent No.3 is directed to constitute a Medical Board within a further period of three days, which shall submit its report within a further period of three days.

Thereafter, respondent No.1 is directed to take appropriate decision in accordance with policy (Annexure P-1) and report of the Medical Board.

(SUDHIR MITTAL)
JUDGE

09.05.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No