

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

CWP No.19839 of 2015 (O&M)

Date of Decision: 14.05.2018

JASWINDER SINGH

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Dr. Naresh Kaushik, Advocate for the petitioner.

Mrs. Lavanya Paul, Assistant Advocate General, Punjab.

JASWANT SINGH, J. (ORAL)

The petitioner was promoted as Superintendent on 20.10.2010 vide orders passed by the Directorate of Secondary Education, Punjab. He reached the age of superannuation of 58 years on 28.02.2015 (as his date of birth is 04.02.1957). He was granted the benefit of Optional Extension Policy, whereby he was permitted to continue on extended service for two years w.e.f. 01.03.2015 to 28.02.2017.

In the present petition, the petitioner has claimed the benefit of extension in service from 58 to 60 years being a physically handicapped person in terms of the Policy dated 19.11.2014 (**Annexure P-5**).

Upon notice, a reply has been filed, wherein it is submitted that the petitioner was not entitled to the benefit of retirement age from 58 to 60 years in terms of the Policy dated 19.11.2014 (**P-5**) meant for the physically

handicapped employees as the petitioner had obtained the Physical Disability Certificate on 12.06.2015 (**Annexure P-3**).

After hearing learned counsel for the parties, this Court finds that the present petition is devoid of any merit.

The grant of extension in terms of the Policy dated 19.11.2014 (**P-5**) meant for physically handicapped, concededly is dependent upon furnishing of proof of certification of physical disability by the employees prior to their reaching the age of superannuation of 58 years, so as to raise their age of superannuation to 60 years. Admittedly, the petitioner had not obtained or furnished any Physical Disability Certificate prior to his superannuation at 58 years on 28.02.2015. Hence, the Disability Certificate obtained subsequently on 12.06.2015 (**P-3**) cannot extend his age of superannuation from 58 to 60 years, more-so, when the petitioner himself had availed the extension in service under the Optional Extension Policy.

Thus, in view of the above, no case for interference is made out.

Dismissed.

May 14, 2018

'rajneesh'

**(JASWANT SINGH)
JUDGE**

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