

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

**Civil Writ Petition No. 21050 of 2018 (O&M)
Date of Decision: 08.10.2018**

Gurvinderpal Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Kuldeep Singh, Advocate for
Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Mrs. Anu Chatrath Kapur, Additional Advocate General, Punjab
for the respondents-State.

JASWANT SINGH, J. (ORAL)

Petitioner (Gurvinderpal Kaur) is serving as 'Science Mistress' and has attained the age of superannuation of fifty-eight (58) years on 31.08.2018. She has a 50% (fifty *per cent*) permanent disability as per Certificate at **Annexure P-1**.

By filing the present petition, the petitioner seeks Mandamus directing the respondents to grant first extension in service in view of the Government of Punjab's Policy/Notification dated 19.11.2014 (**Annexure P-2**), granting the age of retirement of "Persons with Disabilities" from fifty-eight (58) years to sixty (60) years.

This Court, while issuing notice of motion vide order dated 23.08.2018, had directed/permitted to continue the services of the petitioner, which reads as under:-

“ *Petitioner (Gurvinderpal Kaur) is serving as 'Science Mistress' and is due to retire w.e.f. 31.08.2018 on attaining the*

age of superannuation of fifty-eight (58) years. She has a 50% (fifty per cent) permanent disability as per Certificate at Annexure P-1, and thus, is entitled to extension of her age of superannuation to sixty (60) years in the light of the Government Policy, and even otherwise, she is entitled to the grant of extension under the Optional Extension Policy.

Notice of motion for 08.10.2018.

On asking of the Court, Mrs. Monica Chhibber Sharma, Senior Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of all the respondents.

Counsel for the petitioner undertakes to furnish requisite number of copies of the paper-book to the State Counsel during the course of day.

In the meanwhile, the petitioner shall be permitted to continue in service with all benefits subject to the decision of the present writ petition.

To be shown in the Urgent List.”

At the time of hearing, learned State Counsel, states that the Office of Director of Public Instructions (SE), Punjab, vide its order dated 08.10.2018, has allowed/extended the age of retirement of the petitioner from fifty-eight (58) years to sixty (60) years in view of the Instructions dated 19.11.2014 (P-2), therefore, states that nothing more survives for adjudication in the present petition and the same has become infructuous.

“Disposed of as Infructuous”.

October 08, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>