

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

CWP No.6975 of 2018

Date of Decision:-06.04.2018

Mohinder Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Jatinderpal Singh, Advocate for the Petitioner.

Mr. Manoj Bajaj, Additional Advocate General, Punjab.

JASWANT SINGH, J.(ORAL)

Petitioner (Mohinder Singh) on attaining the age of superannuation of fifty-eight (58) years retired on 31.03.2017 in the rank of *Kanungo*. He was granted extension in service for one year vide order dated 08.03.2017 (**Annexure P-3**) passed by the Deputy Commissioner, Bathinda. The petitioner has been working in the substantive rank of *Kanungo*, however, has been holding the Current Duty Charge of the post of *Naib Tehsildar* in his own pay scale of *Kanungo*.

The grievance of the petitioner is that vide impugned order dated 13.03.2018 (**Annexure P-1**), his extension in service has been withdrawn w.e.f. 13.03.2018 due to issuance of a charge-sheet for imposition of major penalty vide memo dated 26.10.2017 (**Annexure P-15**).

By referring to the instructions dated 07.01.2015 & 30.04.2015

(Annexures P-12 & P-13, respectively), it is contended that in the light of the officiating charge of the post of *Naib Tehsildar*, the order restricting the extension could be passed only by the Commissioner Revenue and secondly, the extension period would end on the end of the month i.e. 31.03.2018.

This Court while issuing notice for today had stayed the operation of the impugned order P-1.

At the time of hearing today learned State Counsel on instructions from Mr. Parbodh Chander, *Naib Sadar Kanungo*, DC Office, Bathinda states that the petitioner would be treated on extended service till 31.03.2018 and shall be released all his dues from the date of being relieving on 13.03.2018 till 31.03.2018 within next three weeks.

In view of the aforesaid agreed stands it is conceded that nothing survives for adjudication in the present writ petition, which is hereby dismissed.

(JASWANT SINGH)
JUDGE

April 06, 2018
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>