

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

**CWP No. 7117 of 2019
Date of Decision : 25.03.2019**

Harbhajan Kaur

...Petitioner

Versus

Punjab State Power Corporation Limited and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Paramjit Singh Saini, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

Learned counsel for the petitioner states that husband of the petitioner was dismissed from service vide order dated 06.01.2012 and in the said order, the date of birth of her husband has been recorded as 06.08.1954 so as to treat that he was not a retired employee. Learned counsel states that actually the date of birth of her husband was changed by the respondents themselves as far back in 1993 when his date of birth was treated as 05.08.1951, according to which, husband of the petitioner has already attained the age of superannuation in the year 2009 and, therefore, he could not have been dismissed from service on 06.01.2012.

On being pointed out that the order of dismissal was passed by the Deputy Chief Engineer and the said order is appealable before Managing Director.

Learned counsel for the petitioner states that he be allowed to withdraw the present writ petition with liberty to file an appeal against the said order by taking all the pleas including the one recorded hereinbefore

that after husband of the petitioner attained the age of superannuation in 2009, he could not have been dismissed from service by the impugned order.

Dismissed as withdrawn with liberty as prayed for.

March 25, 2019
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes*
Whether reportable? *No*