

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

CWP No.9430 of 2019 (O&M)
Date of decision: May 08, 2019

Nek Chand

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Surinder Garg, Advocate for the petitioner.
Ms. Anu Chatrath, Addl. A.G. Punjab.

Rajan Gupta, J.(oral)

Petitioner has preferred this petition seeking a writ in the nature of mandamus to direct the respondents to consider his age of superannuation as 60 years in view of policy dated 01.01.2019 (Annexure P-4).

Petitioner joined service as conductor in Punjab Roadways in the year 1983. He continued as such and attained age of superannuation on 31.3.2017. His application for extension in service was accepted, due to which he continued for another two years. Admittedly, petitioner superannuated on 31.03.2017. He has preferred the instant writ petition praying that the State may be directed to consider his age of superannuation as 60 years being physically handicapped, in view of policy (Annexure P-4). During the course of hearing, assistance of the State counsel has also been sought. She submits that the policy (Annexure P-4) would not be applicable to the petitioner as same was made operative w.e.f. 22.5.2017 while petitioner attained the age of superannuation on 31.3.2017. Besides,

petitioner was not handicapped initially when he joined service. He claims to have become handicapped due to some injury in the year 1989. The court finds substance in the plea. In my considered view, the petitioner cannot claim the benefit of policy (Annexure P-4). .

In view of above, I find no merit in this petition.

Dismissed.

(RAJAN GUPTA)
JUDGE

May 08, 2019
'Rajpal'

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No