

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.5298 of 2019 (O&M)
Date of Decision: 03.10.2019

Jagdish Kumar and another
... Petitioners
Versus

Union of India and others
... Respondents
CWP No.12802 of 2019 (O&M)

Kaptan Singh
... Petitioner
Versus

Union of India and others
... Respondents
CWP No.24786 of 2019 (O&M)

Kuldip Singh
... Petitioner
Versus

Union of India and others
... Respondents
CWP No.10074 of 2019 (O&M)

Rajinder Kumar
... Petitioner
Versus

Union of India and others
... Respondents
CWP No.13851 of 2019 (O&M)

Dev Raj Sharma
... Petitioner
Versus

Union of India and others
... Respondents

Madhu Soodanan Nair

... Petitioner

Versus

Union of India and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Gaurav Mohunta, Advocate,
Ms. Himshikha, Advocate,
Mr. J.P.Jangu, Advocate,
Mr. Abhay Kumar Sharma, Advocate,
for the petitioner(s).

Mr. S.P.Jain, Additional Solicitor General of India
with Mr. Sunil Kumar Sharma, Advocate,
Ms. Anita Balyan, Advocate,
Mr. Anil Chawla, Advocate,
Mr. Pavesh K. Saini, Advocate,
for the respondents.

ARUN MONGA, J.(ORAL)

Learned Additional Solicitor General of India points out that during pendency of the writ petition, a decision has been taken, whereby the age of superannuation has been enhanced from 57 years to 60 years across board to all officers/ranks serving in Central Armed Police Forces. A copy of the order dated 19.08.2019, handed over in course of hearing reflects the same position. The same is taken on record.

2. In view of the statement of learned Senior counsel, writ petitions are rendered infructuous.

3. Petitioners shall be at liberty to file appropriate representation for the period they were out of service to seek salary/emoluments.

4. Prima facie, I am of the view that the petitioners cannot

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be penalized for no fault of theirs for the period they were out of service and it would be appreciated if respondents take a sympathetic view and accord them the benefit of salary for the said period. They were all throughout available for work but were not allowed despite their case being squarely covered by Division Bench judgment of Delhi High Court that was upheld by Hon'ble the Apex Court.

5. Disposed of accordingly.
6. A photocopy of this order be placed on the connected case file.
7. Pending application, if any, shall also stand disposed of.

03.10.2019
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No