

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.15862 of 2019

DATE OF DECISION:09.09.2019

Sanjiv Hans

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K. Sandhir, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner states that the petitioner had superannuated from service on attaining the age of superannuation on 30.06.2017. As per averments made in the writ petition, the petitioner is a handicap employee and had applied for extension for a period of two years from 01.07.2017 till 30.06.2019 but the said benefit was not allowed to him on the ground that as per the instructions issued by the Government dated 22.05.2017, the extension can only be given to the employees, who were appointed under the handicapped quota and as the petitioner was not appointed against the handicapped quota, he was not granted the benefit of extension.

Counsel argues that the Government of Punjab has clarified the instructions dated 22.05.2017 and have amended the same vide instructions dated 01.01.2019 stating that all the handicapped employees irrespective of the fact whether they were appointed against a post reserved for handicap or not, will be entitled for the benefit of extension and the said clarification will be applicable w.e.f. 22.05.2017.

Counsel further argues that keeping in view the said clarification, the petitioner was entitled for the grant of extension, which has been wrongly denied to him.

Counsel for the petitioner prays that a direction needs to be issued to the respondents to consider the case of the petitioner for grant of extension keeping in view of clarification dated 01.01.2019.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, petitioner has submitted the respondents with a representation dated 29.01.2019 (Annexure P-7), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the representation dated 29.01.2019 (Annexure P-7) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 29.01.2019 (Annexure P-7), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 29.01.2019

(Annexure P-7) within a period of three months from the receipt of
certified copy of this order.

September 09, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes / No
Whether reportable : Yes / No