

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

**CWP NO. 16779 OF 2013
DATE OF DECISION : 01.05.2019**

Amarjit Singh

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. N. S. Diwana, Advocate,
for the petitioner.

Mr. Abhay Pal Singh, AAG, Punjab.

Mr. Rupinder Khosla, Senior Advocate with
Ms. Ishrat Phulka, Advocate,
for respondents No.2 to 4.

ARUN MONGA, J. (ORAL)

1. In the present writ petition, the petitioner has sought reinstatement to the post of Work Supervisor from 31.03.2013, when he attained the age of 58 years, for a further period of two years, till he attains the age of 60 years. The petition was filed in the year 2013, impugning his superannuation on the ground that the petitioner belongs to Class IV category. As per Rule 3.26 (a) of Punjab Civil Services Rules, Volume-I, Part-I, government employees belonging to Class IV category, are to be retained in service until the age of 60.

2. In the written statement filed by respondent-PUDA, a pointed stand has been taken that the services of petitioner were regularised vide approval dated 12.10.1990, with effect from 01.03.1986, in the pay-scale of ₹950-1800/-. It is further stated therein that the pay-scale of ₹950-1800/- is given to Class-III employees and therefore, the entire premise of the petitioner to seek reinstatement is misplaced on the ground that he belongs to Class IV category.

3. Confronted with the above situation, learned counsel for the petitioner argues that the stand of respondent-PUDA is not tenable in view of other similarly situated employees having been given the benefit of retirement on attaining the age of 60, as is reflected from Annexure P-4/T.

4. Learned senior counsel appearing on behalf of respondent-PUDA has drawn my attention to para 7 of the written statement, wherein it has been specifically deposed that illustrations relied upon by the petitioner are factually incorrect. The persons, whose case the petitioner has relied on, belong to Class IV as they were drawing salary in the pay-scale of ₹830-1470/- and therefore, they were given the benefit of retirement on attaining the age of 60 years instead of 58 years.

5. I am in agreement with the argument advanced by learned counsel for the respondent-PUDA and therefore, find no ground to interfere in the impugned order dated 31.03.2013 (Annexure P-3/T) vide which the petitioner was rightly

superannuated on attaining the age of 58 years.

6. In view of my discussion above and the reasoning contained therein, the writ petition is dismissed. No order as to costs.

(ARUN MONGA)
JUDGE

MAY 01, 2019
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No