

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

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**CWP No.17237 of 2016
Date of decision: 01.05.2019**

Balwinder Singh

...Petitioner

Vs.

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Pawan Kumar, Senior Advocate with
Mr. Rohit Kumar, Advocate for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

JITENDRA CHAUHAN, J.(ORAL)

This writ petition under Article 226 of the Constitution of India has been filed for issuance of direction to the respondents to extend the date of retirement of the petitioner upto the age of 61-62 years, in pursuance of the judgment dated 03.08.2016 passed by this Court in CWP No. 25972 of 2015 titled as 'Dr. Jagjiwan Singh Vs. State of Punjab and others'.

Learned Senior counsel for the petitioner submits that by availing the period of extension under the orders of the Court, the petitioner stands retired at the age of 62 years but certain retiral benefits of the petitioner have not been paid so far. He further states that at this stage he would be satisfied in case direction is issued to respondent No.2-Director, Education Department, Senior Secondary Education, Punjab Complex, Punjab School Education Board, Phase VII, SAS Nagar (Mohali), Punjab to release the

remaining pensionary benefits admissible for the petitioner expeditiously.

Learned State counsel submits that she is not averse to the suggestion put forth by learned Senior counsel for the petitioner.

Heard.

Without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2-Director, Education Department, Senior Secondary Education, Punjab Complex, Punjab School Education Board, Phase VII, SAS Nagar (Mohali), Punjab to release the remaining admissible pensionary benefits of the petitioner in accordance with law within a period of six weeks from the date of receipt of certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of six weeks thereafter. However, in case the competent authority feels then the relief claimed by petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

May 01, 2019

Poonam Sharma

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No