

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

CWP-7618-2014 (O&M)
Date of decision : 17.01.2019

Raj Kumari and others

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vikas Bali, Advocate,
for the petitioner.

Mr. Vikas Mohan Gupta, Addl.A.G., Punjab.

JITENDRA CHAUHAN, J.

The petitioner, *inter alia*, seeks issuance of a writ of Certiorari quashing impugned order dated 19.12.2013 (Annexure P-5), passed by respondent No.2, whereby, the request of petitioner No.1 for extension in service for one year beyond the age of superannuation, was rejected.

Heard.

The precise grouse of the petitioners is that the post in question i.e. Trained Dai, in the Ayurvedic Department as well as Homeopathic Department though has been declared as diminishing cadre, however, selective extensions are being given by the Department and has been declined to the petitioner.

Learned State counsel has filed affidavit of the Director, Ayurveda, Government of Punjab, dated 16.01.2019 in the Court, which is

taken on record as Mark 'A'. It is submitted that no similarly situated employee of the Ayurvedic Department has been given extension in service except for one Smt Darshan Kaur, whose case was processed under bona fide mistake. Thereafter, no extension has been granted to any Trained Dai in the Ayurvedic Department. It is further stated that the period of extension of said Darshan Kaur has also come to an end and as of now, no Trained Dai is on extension in the Department. Lastly, it is informed that departmental action is being taken against the officials responsible for the lapse in according extension in service to Darshan Kaur.

In view of the above fact situation, this Court feels that the cadre of Trained Dai being a diminishing cadre, the extension in service has rightly been declined to the petitioners.

Dismissed.

17.01.2019
atulsethi

(JITENDRA CHAUHAN)
JUDGE

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