

CWP-20246-2016

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20246-2016

Date of Decision: 3rd February, 2020

Balbir Singh

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ashe Kumar Goyal, Advocate,
for the petitioner.

Ms. Anu Pal, DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court praying for grant of benefit of the instructions dated 19.11.2014 (Annexure P-9), whereby for the handicapped category, the benefit irrespective of the nature/category of the handicap, age of retirement increased from 58 years to 60 years. Petitioner, thereafter, has been agitating his claim. He ultimately approached this Court by filing the present writ petition wherein benefit of two years service is being sought by him being handicapped. In support of the said plea, reliance has been placed upon the judgment passed by the Coordinate Bench of this Court in CWP No.23145 of 2015, titled as 'Paramjit Singh Vs. The State of Punjab & others', decided on 31.10.2015 (Annexure P-14).

Counsel for the petitioner contends that the petitioner is similarly placed as Paramjit Singh and therefore, should be granted the benefit of two years extended service and treating his date of retirement as

on the date he would have attained 60 years of age and the benefits be released to the petitioner.

Respondents have filed reply to the writ petition, wherein only objection which has been taken primarily is that the petitioner had retired on 30.06.2012 and he had not sought extension in service nor has he moved this Court for claiming the benefit. Petitioner, at this belated stage, cannot be granted the benefit of the judgment in *Paramjit Singh's* case (supra).

I have considered the submissions made by the learned counsel for the parties and on going through the judgment passed by this Court in *Paramjit Singh's* case (supra), this Court is satisfied that the claim of the petitioner is covered on all aspects sought to be raised including non-application for extension moved by the petitioner and delay was considered and decided by the Court in the said judgment in favour of the petitioner. Petitioner herein being similarly placed is entitled to the same relief as was granted by this Court vide order dated 31.10.2015 passed in *Paramjit Singh's* case (supra) (Annexure P-14).

In view of the above, the present writ petition is allowed. Petitioner is held entitled to the same benefit as was granted in *Paramjit Singh's* case (supra) (Annexure P-14).

3rd February, 2020
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

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