

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

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**CWP No.22479 of 2020
Decided on : 23.12.2020**

Paramjeet Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Ranbir S. Sekhon, Advocate for the petitioner.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawal, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India seeks directions to continue to perform her duties till 31.03.2021. The prayer is on the basis of the provisions of Section 3 of the Punjab School Teachers' Extension in Service Act, 2015 (Annexure P-3) wherein it has been provided that Teachers, who would have retired between 1st day of August of a year and the last day of the month of February of the succeeding year, shall be deemed to be on extension in their service upto 31st day of the following month of the March.

It is, thus, the case of the petitioner that she having been born on 01.01.1963 is due to retire on 31.12.2020. Request has already been made for extension till 31.03.2021 vide representation dated 27.10.2020 (Annexure P-7) with respondent No.4. The writ petition, thus, has been filed on the basis that the petitioner is apprehending retirement on 31.12.2020, on account of the inaction of the respondents.

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Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab accepts notice on behalf of the respondents. He further brings to the notice of the Court that a similar issue had been decided by the Coordinate Bench in **CWP No.21195 of 2020 'Gurtej Singh Vs. State of Punjab and others'** decided on 17.12.2020, wherein the Secretary School Education had attended the Court proceedings. Resultantly, he had submitted that a decision as such has been taken to repeal the said Act. However, the petitioner in the said case was allowed to continue in service, till repealing of the Act or 31.03.2021, whichever is earlier. Thus, it is apparent that the request is still pending with the respondents.

Accordingly, in view of the above, the petitioner be allowed to continue in service till 31.03.2021 or till repealing of the Act, whichever is earlier.

The writ petition stands disposed off.

DECEMBER 23, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No