

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-730-2020 (O&M)
Date of Decision: 14.1.2020

Mohd. Nazir

--Petitioner

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Rosi, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner seeks a Mandamus for directing the respondent authorities to remove private respondent no.4 from the post of Section Officer under the Punjab Wakf Board as he is serving on such post having been granted extension.

The entire case projected on behalf of the petitioner is that the order granting extension to the private respondent is illegal as such benefit has been granted in derogation of a letter dated 18.5.2018 (Annexure P-2) which states that if an employee took 90% G.P.F, then such employee would not be given extension in service. It has been averred that private respondent no.4 post retirement had received 90% of the Provident Fund and which is clearly discernible from documents placed on record at Annexure P-1.

Having heard counsel at length and having perused the pleadings on record, this Court is of the considered view that no interference in the matter is warranted in the light of the pleadings/prayers raised in the instant petition.

There is no prayer for issuance of a Writ of Certiorari for setting aside the order of grant of extension to respondent no.4. Petitioner

has also not prayed for a Writ of Quo Warranto so as to remove respondent no.4 from the post of Section Officer on which he is serving pursuant to an extension having been granted.

A Writ of Mandamus under such circumstances cannot be issued to remove respondent no.4 from the post of Section Officer.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

14.1.2020

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