

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

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CWP No.7541 of 2020 (O&M)
DATE OF DECISION : 2nd DECEMBER, 2021

Surender Kumar

.... Petitioner

Versus

State of Haryana & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Manoj Kakkar, Advocate for the petitioner.

Mr. Harish Rathee, Deputy Advocate General, Haryana.

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RAJBIR SEHRAWAT, J. (Oral)

The petitioner has filed this petition under Articles 226/227 of the Constitution of India, praying for issuance of writ in the nature of certiorari for quashing the impugned order Endst. No.493 dated 31.03.2020 (Annexure P-9) passed by respondent No.3, whereby the petitioner has been retired from service w.e.f. 31.03.2020 on attaining the age of 58 years whereas the petitioner is having 78.125% hearing disability both ears and entitled for extension of service up to the age of 60 years, which is against the policy of the physically disabled employees and Chief Secretary notification dated 31.01.2006 (Annexure P10) and under the mandate of Section 47 of the persons with disabilities (equal opportunities), Protection of Rights and Full Participation Act, 1955, along with certain other prayers.

Notice of motion was issued in this case and PGIMER, Chandigarh was directed to constitute a Board of Doctors for assessing the disability of the petitioner whether it is permanent or temporary in nature and to send its report to this court. Accordingly, the petitioner was medically examined by the Board of Doctors and copy of the final report has been placed on record.

Today the counsel for the State has placed on record copy of the order dated 30.11.2021 informing therein that the petitioner has been given extension of service up to the age of 60 years and his service has been extended from 01.04.2020 to 31.03.2022, and therefore, the petition has become infructuous.

The counsel for the petitioner does not dispute the fact and submits that the petition may be dismissed as having been rendered infructuous.

In view of the above, the present petition is dismissed as having been rendered infructuous.

2ND DECEMBER, 2021
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*