

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

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CWP-4925-2022

Date of decision : 30.03.2022.

Rawail Singh

... Petitioner

Versus

Punjab State Power Corp. Ltd. through its Chief Managing Director

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Rahul Sharma, Advocate for the petitioner.

Mr. Shiv Kumar Sharma, Advocate for the respondent/PSPCL.

Mr. Amit Jhanji, Senior Advocate with
Mr. Abhishek K. Premi, Advocate for PGIMER, Chandigarh.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the order dated 15.02.2022 (Annexure P-14) whereby his application for extension in service to the physically challenged employees for a period of two years has been rejected.

Learned counsel for the petitioner contends that the petitioner is suffering from 48% locomotive disability and therefore, he is entitled to get extension in service for two years till the age of sixty. He has referred to the instructions dated 27.05.2019 (Annexure P-3) wherein it has been held that the employees with physical disability of atleast 40% would be entitled to continue in service till the age of sixty. In the impugned order rejecting the case of the petitioner, it is stated that the disability of the petitioner is temporary and no such benefit can be given. He also submits that he has also submitted a certificate from the department of Orthopedics, Rajendra Hospital, Patiala

which indicates that his disability is 48%. The petitioner is going to retire on 31st March, 2022.

This Court by order dated 11.03.2022 had directed the Director, PGIMER, Chandigarh to constitute a Board of Doctors to assess the disability of the petitioner in the light of instructions (Annexure P-3).

Learned Senior counsel for the PGIMER, Chandigarh submits that the Board of Doctors has assessed the disability of the petitioner as 40%. A copy of the disability certificate issued by the Board of Doctors, PGIMER, Chandigarh has been furnished in Court, which is taken on record.

Heard.

In view of the above, the petition is disposed of with a direction to the respondent/PSPCL to consider the case of the petitioner for extension in service in the light of the instructions (Annexure P-3) and the disability certificate issued by the PGIMER, Chandigarh and take a decision within a period of two weeks from now. The petitioner would continue in service till the decision is taken by the respondent.

(ANUPINDER SINGH GREWAL)
JUDGE

March 30, 2022
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No