

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

218

CWP-11428-2016

Date of decision : 19.07.2022

Virinder Singh

... Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Navdeep Monga, Advocate for the petitioner.

Ms. Maloo Chahal, DAG, Punjab.

Mr. Gurpreet Singh Dhillon, Advocate for respondent No.3.

Mr. G.S. Jagpal, Advocate for respondent No.4.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking a direction to the respondents to accept the date of his superannuation as 31.10.2013 instead of 10.10.2013 and to release all the consequential benefits from 11.10.2013 to 31.10.2013.

Learned counsel for the petitioner contends that the petitioner was working as Associate Professor in the respondent/College which is affiliated to Punjabi University, Patiala. He further submits that in terms of provisions of the Punjabi University, Patiala Calender Volume-III, Part-II 2005, the age of superannuation of an employee would be 60 years and he/she would retire on the last day of the month in which the retirement becomes due.

Learned counsel for the respondents are not in a position to dispute that in terms of provisions laid down in the Punjabi University, Patiala Calender Volume-III, Part-II 2005, an employee retires on the last day of the month and therefore, the petitioner was to retire on 31.10.2013.

Heard.

The relevant extract of 'the Service and Conduct Rules of Teachers in Non-Government Colleges' in the Punjabi University, Patiala Calender Volume-III, Part-II 2005 wherein it is stipulated that an employee would retire at the age of 60 years and on the last day of the month is reproduced hereunder:-

'The age of superannuation of an employee in an affiliate college shall be 60 years;

Provided that the employee would retire on the last day of the month in which his retirement becomes due.'

The petitioner is stated to have attained the age of superannuation on 10.10.2013 but the last working day of the month was 31.10.2013. He would, thus, be entitled to continue in service till 31.10.2013.

Consequently, the petition is allowed. The date of superannuation of the petitioner would be 31.10.2013 instead of 10.10.2013. The petitioner would also be entitled to all consequential benefits in this regard which shall be paid to him by respondent No.4/College within a period of three months from the date of receipt of certified copy of this order. Respondent No.4/College would be at liberty to get the same reimbursed from the State of Punjab as per the grant-in-aid scheme.

(ANUPINDER SINGH GREWAL)
JUDGE

July 19, 2022
sonia gugnani

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