

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

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CWP-1589-2016

Date of decision : 21.07.2022

Surjit Singh

... Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Naresh Kumar, Advocate for
Mr. Krishan Singh Dadwal, Advocate for the petitioner.

Mr. T.P.S. Chawla, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner has claimed extension in service for two years beyond the age of 58 years in view of the Government notifications dated 08.10.2013 and 30.10.2015 (Annexures P-1 & P-2 respectively).

Learned counsel for the petitioner submits that the petitioner is entitled to extension in service for two years beyond the age of 58 years as he is working as Superintendent-cum-Accountant with the respondent/District Rural Development Agency which is governed by the Punjab Civil Services Rules Volume I Part I and in terms of the proviso stipulated therein, the services of an employee could be extended for two years.

The respondents in their reply have set out that as per the instructions issued by the Department of Finance, Government of Punjab, the departments which are getting grant-in-aid from Punjab Government, the extension in service would not be granted to the employees. It is also stated that the extension in service to DRDA officials cannot be granted.

Heard.

The petitioner is stated to be working as Superintendent-cum-Accountant (Grade-B post) in the District Rural Development Agency. Rule 3.26 of the Punjab Civil Services Rules, Volume I, Part I as stipulated in notification dated 08.10.2012 (Annexure P-1), is reproduced hereunder:-

“3.26 (a) Except as otherwise provided in this rule, the date of retirement of a Government employee other than a Group D Government employee shall be the date on which he attains the age of 58 years and the date of retirement of a Group D Government Employee shall be the date on which he attains the age of 60 years;

Provided that if the State Government is of the opinion that it is necessary and expedient in public interest so to do, the service of a Government employee or a class of Government employees, may be extended beyond the date of retirement for a period not exceeding two years, after getting an option, from the concerned Government employee or the Government employees, as the case may be.

Provided further that a Government employee must not be retained in service after the period of service extended under this clause, except in exceptional circumstances with the previous sanction of the competent authority in public interest and for reasons to be recorded in writing.”

A bare reading of the Rule indicates that the retirement age of Group 'A', 'B' and 'C' employees is 58 years and in the proviso, it is provided that the Government may grant extension if it deems necessary and expedient in public interest. There is no absolute right of any employee to be granted two years' extension. It is not the case of the petitioner that any other similarly situated employee has been granted extension in service beyond 58 years. The

case of petitioner has been considered and declined on the ground that the Government has issued instructions on 27.02.2013 that the departments which are getting grant-in-aid would not give extension to the officials. This petition has been filed on 19.01.2016 and the petitioner has retired from service on 30.01.2016.

Consequently, I do not find any merit in this petition which stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

July 21, 2022
sonia gugnani

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