IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

146 **CWP-18383-2022**
DATE OF DECISION: 22.08.2022

SURINDER PAL **… Petitioner(s)**

Versus

STATE OF PUNJAB AND OTHERS **... Respondent(s)**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Karan Nehra, Advocate for the petitioner.

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ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 12.08.2020 (Annexure P-8) whereby he is being retired from service on 31.08.2022 on attaining the age of 58 years.

Learned counsel for the petitioner contends that the petitioner, who is serving as officiating General Manager in the respondent Mill, is suffering from 50% permanent disability. He further contends that the petitioner is a case of 'Chronic Neurological Conditions' as having been diagnosed with 'CVA caused by hypertension left side weakness, mild'. He has referred to the copy of the medical certificate issued by the Medical Authority, SBS Nagar, Punjab at Annexure P-1. He also submits that the retirement age for employees suffering from permanent disability above 40% is 60 years.

Issue notice to the respondents.

At the asking of the Court, Mr. Arun William, AAG, Punjab puts in appearance and accepts notice on behalf of respondents No.1 and 2. Mr.Rahul Sharma, Advocate puts in appearance and accepts notice on behalf

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of respondent No.3 and submits that disability of the petitioner needs to be examined from a Specialist.

Heard.

The petitioner is stated to be suffering from permanent disability which has been assessed at 50%. There appears to be merit in the contention of the learned counsel for respondent No.3 that the disability of the petitioner needs to be examined from a Specialist.

Consequently, the petition is disposed of with a direction to the Director, PGIMER, Chandigarh to constitute a Board of Doctors to examine the disability of the petitioner and send a report to respondent No.3 in this regard. The needful shall be done within a period of 10 days. Respondent No.3 would consider the report and pass an appropriate order in accordance with law within a period of one week thereafter.

Learned counsel for the petitioner submits that he shall inform the Director, PGIMER, Chandigarh of the order of this Court by tomorrow.

The petitioner shall not be relieved from service till final order in the afore-noted terms is passed by respondent No.3.

(ANUPINDER SINGH GREWAL)
JUDGE

22.08.2022
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Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

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