

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

2023:PHHC:065920

CWP-16270-2016

Date of decision: 08.05.2023

AMARTEJ

..Petitioner

Versus

STATE OF PUNJAB AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Kulwant Kaur Kahlon, Advocate
and Mr. A.P.S. Kahlon, Advocate
for the petitioner.

Mr. R.K. Kapoor, Addl. A.G. Punjab.

ANIL KSHETARPAL, J(Oral)

On 04.05.2023, the following order was passed:-

“The learned counsel representing the State of Punjab submits that the writ petition is rendered infructuous because the petitioner was given the benefit of extension of two years in service on account of his disability and his salary for the extended period has been paid.

At this stage, the learned counsel representing the petitioner submits that the retiral benefits of the petitioner including pension has not been revised after counting his entire service including extended period.

The learned counsel representing the State of Punjab submits that according of his information, the pension payable to the petitioner have been revised and released. He refers to the instructions issued by the head office to the Office of District Education Officer. However, the learned counsel representing the petitioner insists that the benefits have not been released.

At this stage, the learned counsel representing the State of Punjab handed over a communication dated 04.05.2023 while enlisting the benefit already released to the petitioner.

List on 08.05.2023, in the urgent list.”

The learned counsel representing the petitioner admits that the pension payable to the petitioner has not only been revised but released. She also admits that during the period of extension, the petitioner has been paid

the salary with annual increments. However, the learned counsel

representing the petitioner submits that after attaining the age of 60 years, the petitioner is entitled to extension for a period of further two years. In CWP-12524-2022 and other connected cases, titled as “Devinder Singh Vs. State of Punjab and others, decided on 21.04.2023, this Court has carefully examined the scope of extension beyond the age of 60 years to the handicapped employees particularly when the normal age of retirement is 58 years and it has been held that the period of extension from service for a period of two years can at the most be claimed at the age of 60 years and not beyond that.

In view of the aforesaid facts, the writ petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

May 08th, 2023

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No