

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

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2023:PHHC:067496

CWP-52-2018

Date of decision: 10.05.2023

SUSHMA SONI

..Petitioner

Versus

STATE OF PUNJAB & ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sameer Sachdeva, Advocate
for the petitioner.

Mr. D.K. Singal, Addl. A.G., Punjab.

ANIL KSHETARPAL, J(Oral)

1. In substance, the petitioner claims that she is entitled to the salary and other benefits after attaining the age of superannuation i.e. 58 years. At one point in time, various writ petitions were filed in this Court by the teachers claiming that as per the guidelines issued by the University Grants Commission their retirement age is 65 years and not 58 years. Some interim orders were passed keeping in account the contention. Some teachers continued to work beyond the age of 58 years, however, the petitioner did not continue working. The petitioner claims that she submitted her acceptance for joining but she was not allowed to work.

2. On the other hand, it is the stand of the State that the petitioner did not teach in any of the college. Ultimately, the writ petitions were dismissed.

3. Various appeals were filed in the Supreme Court which were dismissed, however, a direction was issued that the teachers who have continued in job on account of interim orders and worked shall be paid the salary for that period.

4. The petitioner claims that a direction be issued to pay her the salary. The question that arises for adjudication is “Whether the petitioner worked after attaining the age of 58 years?” It is evident that the aforesaid question is a disputed question of fact. Hence, the petitioner, if so advised, may avail the alternative remedy.

5. Disposed of accordingly.

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

May 10th, 2023

(ANIL KSHETARPAL)
JUDGE

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