

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 492 of 2023

Date of Decision: 11.01.2023

Mohan Singh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. S.K.Sharma, Advocate
for the petitioner(s).

Mr. Charanpreet Singh, Assistant Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. In essence, the petitioner prays for the grant of benefits due to having served during the national emergency in his subsequent civil services.

2. The petitioner retired from the civil service on 31.08.2002. On 14.06.2003, he filed the Civil Suit No. 219 for the grant of decree of declaration to the effect that the plaintiff is entitled to the benefit, for his services rendered to the nation during the period of emergency. The aforesaid civil suit was dismissed on 02.05.2006. The judgment of the trial Court was affirmed by the First Appellate Court. Though, the liberty was granted to the petitioner to take up the matter with the government for getting the necessary instruction if the department decides that there are such exceptional circumstances which exist in favour of the petitioner.

Admittedly, the department, till date, has not granted the

necessary condonation as observed by the First Appellate Court in its judgment dated 11.11.2006.

4. Moreover, the petitioner on attaining the age of superannuation retired on 31.08.2002. A period of more than 21 years has elapsed.

5. Keeping in view the aforesaid facts, this Court does not find it appropriate to exercise its extraordinary jurisdiction. Hence, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

January 11, 2023
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No