

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

\*\*\*\*

227

CWP-11085-2021

Decided on : January 24, 2024

**SABHA PATTI**

**..... Petitioner**

**Versus**

**P.S.P.C.L. AND OTHERS**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr. Narinder Sharma, Advocate  
for the petitioner.

Mr. Ankush Aggarwal, Advocate  
for the respondents.

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**NAMIT KUMAR, J. (Oral)**

1. The petitioner, who has retired as Helper from Punjab State Power Corporation Ltd., has approached this Court by way of filing the instant petition under Articles 226/227 of the Constitution of India impugning the order dated 01.06.2021 (Annexure P-12), whereby his claim for extension in service from 60 years to 62 years has been rejected.

2. The claim of the petitioner is that since he is a handicapped person, therefore, he is entitled for two years extension in service beyond the age of superannuation i.e. 60 years.

3. On issuance of notice of motion, written statement has been filed by the respondents, wherein it has been stated that there is no rule/regulation in the Corporation to extend the age of retirement of a Handicapped Employee from 60 years to 62 years and since the petitioner has already completed the age of his superannuation i.e. 60 years, therefore, he has rightly been retired on 30.06.2021.

4. Learned counsel for the respondents has placed on record a copy of the Notification dated 02.03.2020 issued by the Department of Finance, Government of Punjab regarding extension of service to the employees beyond the date of retirement on superannuation, which is taken on record. The relevant paras of the said notification reads as under:-

xxx xxx xxx xxx

*“2. The Government of Punjab, Department of Finance (FP-2 Branch) vide its letter No. 22/2/2012-3FP2/ 257, dated 30th October, 2015 issued clarifications with reference to optional extension in service duration of all classes of employees.*

*3. The Government of Punjab, Department of Finance (FP-2 Branch) letter No. 10/80/2016-3FP2/210 dated 22.05.2017 read with 10/80/2016-3FP2/ 1383693/1, dated 1st January, 2019 issued vide its letter No. further instructions extending the applicability of the aforesaid instructions to the employees with disability belonging to all classes.*

*4. The Government of Punjab, after careful consideration, has reviewed the existing Rule 3.26(a) of Punjab Civil Services Rules Volume 1, Part 1 and has amended this Rule 3.26(a), which reads as follows:-*

***"3.26 (a) Except as otherwise provided in this rule, the date of retirement of a Government employee shall be as follows, namely:-***

***(i) fifty-eight years in the case of Group 'A', 'B' and 'C' employees; and***

***(ii) sixty years in the case of Group 'D' employees:***

***Provided that if the State Government is of the opinion that it is necessary and expedient so to do in public interest, the service of a Government employee or a class of Government employees may be extended and governed in the following manner, namely:- ”***

xxx xxx xxx xxx

5. As per the abovesaid notification dated 02.03.2020, it is crystal clear that the age of retirement of Government employees in the State of Punjab is 58 years except for Class-IV employees and Handicapped employees, who retire at the age of 60 years, in terms of Rules 3.26 (a) of Punjab Civil Services Rules Volume 1, Part 1.

6. Since, the petitioner, who is a handicapped employee being falling in the ambit of Rule 3.26 (a) of Punjab Civil Services Rules Volume 1, Part 1, has retired on 30.06.2021 after attaining the age of superannuation i.e. 60 years, therefore, he is not entitled for any extension beyond the age of 60 years.

7. Dismissed with no orders as to costs.

January 24, 2024  
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(NAMIT KUMAR)  
JUDGE

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