

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

211

CWP-16800-2013

Decided on : January 11, 2024

SANTOKH SINGH

..... Petitioner

Versus

STATE OF PUNJAB AND ORS

..... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Mr. Arun Gupta, AAG Punjab.

Ms. Preeti Grover, Advocate for
Mr. Saurav Verma, Advocate
for respondent nos.2 to 6.

NAMIT KUMAR, J. (Oral)

1. On the last date of hearing, no one has put in appearance on behalf of the petitioner and even today also, there is no representation on his behalf in spite of the fact that on the first call, the case was passed over and even on second call nobody has caused any appearance on behalf of the petitioner, despite the fact that the case is lingering on at the motion stage from the last 10 years.
2. The petitioner has approached this Court by way of filing the instant petition under Article 226/227 of the Constitution of India seeking writ of *certiorari* impugning the order dated 27.07.2012 (Annexure P-5) whereby the petitioner has been discharged from service on attaining the age of superannuation of 58 years. The grievance of the petitioner is that he should be allowed to continue in service upto the age of 60 years.

3. The brief facts leading to the filing of the present petition, as have been pleaded in the writ petition, are that the petitioner, who is an Ex-Serviceman, stood retired from the Army and thereafter, he was enrolled in the Employment Exchange and his name was recommended and he was appointed as Special Police Officer (SPO) under Section 17 of the Police Act, 1861, vide Appointment Letter dated 16.04.1987 (Annexure P-1) and was posted at Amritsar, Kasheteriya Gramin Vikas Bank at Satkoha, District Gurdaspur and he joined as such on 22.04.1987, from where he has been discharged on attaining age of superannuation i.e. 58 years.
4. On issuance of notice of motion, separate replies have been filed by the State and the Bank and with the reply of the Bank a letter dated 19.01.1999 issued by the Director General of Police, Punjab, Chandigarh has been annexed as Anneuxure R-1, which clearly states that age of retirement of SPOs is 58 years and no SPO should be retained beyond the age of 58 years.
5. In view of the above, no case is made out to grant any relief to the petitioner for continuing in service beyond the age of superannuation i.e. 58 years.
6. Dismissed.

January 11, 2024
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(NAMIT KUMAR)
JUDGE

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