

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

CWP-20729-2016 (O&M)
Date of decision: 06.05.2024

...PETITIONER

STATE OF PUNJAB AND ORS

...RESPONDENTS

Present: Mr. Rai Singh Chauhan, Advocate,
Mr. Rohit Sapehiya, Advocate and
Ms. Deepika Chauhan, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. On 17.10.2022, the following order was passed:

“The petitioner herein would claim extension in service on the basis of judgment rendered in **CWP No.7233 of 2010**, titled as **Bhupinder Singh versus State of Punjab and others**, decided on **25.05.2011**, which allows retirement of a disabled person to be at the age of 60 years.

Learned State counsel would submit that the petitioner retired on attaining the age of 58 years on 31.03.2012 and there was no information with the department at the relevant time that he had suffered 85% dissability. It is submitted that it is only by virtue of a letter and legal notice served upon the department by the petitioner that his dissability was made known. It is contended that the circular dated 16.12.2011 cannot be made applicable retrospectively. He seeks some time to place the necessary documents on record in support of his submission that on the date when the petitioner retired, the department had no information regarding his dissability.

Adjourned to 09.12.2022."

2. As per reply, the petitioner retired on attaining the age of 58 years on 31.03.2012 and he informed about amputation of his leg to the respondent on 06.05.2012.
3. Mr. Aman Dhir, DAG, Punjab submits that petitioner has passed away on 26.09.2023 and no LR is on record. The period of extension sought by petitioner expired in 2014, thus, he could not work during extended period. He cannot be paid for the period, he did not work.
4. In the wake of aforesaid facts, this Court does not find it appropriate to return findings on merit.
5. Disposed of accordingly.
6. Pending miscellaneous application(s), if any, shall also stand disposed of.

06.05.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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