



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

**286**

**CWP-11651-1996 (O&M)  
Date of decision : 06.02.2025**

**EXECUTIVE ENGINEER, ELECTRICAL DIVISION No.2**

..... Petitioner

**VERSUS**

**BACHITTER SINGH AND ANR.**

..... Respondents

**CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present :- Mr. Sumeet Jain, Advocate  
for the petitioner.

Mr. Sidharth Maini, Advocate for  
Mr. I. P. S. Kohli, Advocate  
for the respondents.

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**Harsimran Singh Sethi, J. (Oral)**

1. This petition is filed by the petitioner as a means to challenge order dated 12.12.1995 (Annexure P-1) passed by the Tribunal which in its decision has held that while working on the post of Electrician, the respondent No.1-workman was entitled to continue upto the age of 60 years instead of 58 years.

2. Learned counsel for the petitioner submits that nothing has come on record to show that the post of electrician is a Class-IV post and to corroborate his submission reliance is being placed upon the rules enumerated in Punjab Civil Services Rules according to which the post of an Electrician falls under the umbrella of Group C posts.

3. Learned counsel for the respondents has not been able to rebut that the Electrician is a Class-C post.



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4. It is the Court's opinion that the non-observance by the Tribunal of the rules mentioned hereinbefore and the findings recorded by the Tribunal which are based on the letter of the Government of Punjab dated 12.10.1951 according to which, the retirement age for the post of electrician has been held to be 60 years, cannot be upheld. The said rules have already been amended time and again and on the date, when the respondent No.1 retired on 28.02.1993, as per the rules governing the service, the retirement age qua clause C post was 58 years and not 60 years, which fact has not been rebutted by the learned counsel for the respondent-workman.

5. Keeping in view the above said fact, the order passed by the Tribunal is perverse as, the rules which were applicable on the date of retirement were to be observed and relied upon and not the one issued in the year 1951, which already stood amended. The writ petition is allowed and therefore, the award dated 12.12.1995 (Annexure P-1) granting the benefit of two years of service upto the age of 60 years in favour of respondent No.1 is *set aside*.

6. Pending applications, if any, also stand disposed of accordingly.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**06.02.2025**  
Rimpal

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable :      | No  |