



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

CWP-22408-2023

Date of Decision : 25.09.2025

AMARJEET SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. K.S.Dadwal, Advocate,
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for quashing of order dated 30.09.2023 (Annexure P-23), passed by respondent no.3, whereby, the petitioner has been ordered to be retired from service w.e.f. 30.09.2023, after attaining the age of 58 years.

2. The case as put up before this Court by the petitioner, is that he is suffering from permanent disability, therefore, he is entitled to serve upto the age of 60 years, i.e. till 30.09.2025, as mandated for an handicapped/disabled person, in view of the government instructions dated 19.11.2024 (Annexure P-2), as well instructions dated 19.02.2021 (Annexure P-3).

3. Earlier the matter remained pending before this Court, as the petitioner's disability could not be ascertained, and he was sent from one authority to another, however, this Court while drawing an order dated 05.09.2025, with a positive directions upon the authority concerned, to assess the disability of the petitioner. The relevant part of the order dated 05.09.2025, is extracted hereinafter:-

“In deference to the directions issued by this Court vide order dated 29.08.2025, the affidavit of Mr. Kumar Rahul, Principal Secretary to Govt. of Punjab, Department of Health and Family Welfare Punjab has been filed today in the Court, copy whereof, has been supplied to counsel for the petitioner. The same is taken on record. The affidavit states that the disability of the petitioner can be assessed by Guru Gobind Singh Medical College, Faridkot which is under the administrative control of Baba Farid University of Health Sciences, Faridkot.

In view of the aforesaid information, as provided to this Court through the affidavit (supra), this Court directs the petitioner to cause appearance before the Medical Officer, Guru Gobind Singh Medical College, Faridkot on 11.09.2025 by 11 A.M. It is also directed upon the Baba Farid University of Health Sciences, Faridkot, and Guru Gobind Singh Medical College, Faridkot to constitute a Medical Board to assess the disability percentage of the petitioner, and thereupon, the authority concerned of Baba Farid University of Health Sciences, Faridkot shall place on record the said report of the petitioner on or before the next date of hearing.

It is further apt to observe that in case of any reluctance on the part of any authority in making compliance to this order, would be construed seriously.

Adjourned to 18.09.2025.

To be shown in the urgent list.

It is made clear that no further request for adjournment would be entertained on behalf of either party except for strong and pressing reasons. ”

4. In deference to the above directions issued by this Court, the disability certificate was issued to the petitioner, and he was found to be suffering from permanent disability of 40%.

5. In view of the supervening events, this Court vide order dated 18.09.2025, passed the hereinafter extracted order:-

“Through the instant writ petition, under Articles 226/227 of the Constitution of India, an order dated 30.09.2023, (Annexure P-23) has been assailed, whereby, petitioner was ordered to be relieved from service w.e.f. 30.09.2023, upon attaining the age of superannuation.

In nutshell, the grievance encapsulated in the instant writ petitioner is that, claim of the petitioner to allow him to serve up to the age of 60 years, i.e. 30.09.2025, as he is suffering from 40% disability, was not considered by the authorities concerned.

On the last date of hearing, i.e. 05.09.2025, this Court had directed the Baba Farid University of Health Sciences, Faridkot, and Guru Gobind Singh Medical College, Faridkot, to constitute a Medical Board to assess the percentage of disability the petitioner suffers from.

In response, this Court has been informed that disability of the petitioner has been assessed, and he is found to be suffering from 40% permanent disability (Locomotor).

In view of the above, the Principal Secretary to Government of Punjab, Department of Water Resources-respondent No.3, is directed to take a final decision, on or before 23.09.2025, as to whether, the petitioner is entitled to extension in service up to the age of 60 years, in terms of the rules in vogue, and file a specific affidavit, in this regard, on or before the next date of hearing.

Adjourned to 25.09.2025.

To be shown in the urgent list.

It is made clear that, on the subsequent date of hearing, no request for adjournment would be entertained on behalf of either side.

However, in case of non-compliance of the direction (*supra*), respondent No.3 shall cause his/her personal appearance, on the next date of hearing.

The Registry is directed to convey this order to the office of Advocate General, Punjab, as well as respondent No.3, forthwith.

6. In compliance to the direction (*supra*), an additional affidavit dated 24.09.2025, sworn in by Mr. Krishan Kumar, Principal Secretary to Government of Punjab, Department of Water Resources, Punjab (respondent no.3), has been filed today in Court, with a copy thereof supplied to learned counsel for the petitioner. The same is taken on record. The Registry is directed to tag the same at an appropriate place on the case file.

7. As per the affidavit (*supra*), the matter was considered by the authority concerned afresh, and upon reconsideration, in supersession of order dated 30.09.2023, a decision has been taken, which is extracted hereinafter:-

“(i) The term of Sh. Amarjeet Singh, who had been working to the post of Chief Engineer in the Department of Water Resources shall be deemed to have been extended for the period commencing from 1.10.2023 to 30.9.2025 for all intents and purposes meaning thereby that the said petitioner shall be retired from service upon attaining the age of 60 years subject to the condition that during the intervening period the petitioner would not have engaged in any gainful employment or business.

(ii) The said period shall be treated as a 'Qualifying Service' for computing his retiral benefits; and

(iii) He shall also be entitled to the admissible annual increments, if any, for the said period and his pay shall be re-fixed accordingly.”

8. The affidavit further voices that the said order shall come into force with immediate effect. Therefore, the petitioner is directed to

henceforth, report for duty in the office of the Chief Engineer, Headquarters, Department of Water Resources, Punjab at Chandigarh tomorrow i.e. 26.09.2025 by 11.00 A.M.

9. In view of the above, no further order is required to be passed in the instant petition, as the grievance of the petitioner has already been redressed. Therefore, the instant petition is hereby, **closed**.

10. **Disposed of** accordingly.

11. All pending application(s), if any, also stand **disposed** of accordingly.

September 25, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No