

Biro Devi Vs. State of Punjab and Others

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Court : Punjab and Haryana

Decided On : Jan-31-2013

Appellant : Biro Devi

Respondent : State of Punjab and Others

Judgement :

CWP No.121 of 2013 -1- IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH CWP No.121 of 2013 Date of Decision:

31. 01.2013 Biro Devi Petitioner Versus State of Punjab and others Respondents
***** CORAM : HONBLE Mr.JUSTICE AUGUSTINE GEORGE MASIH Present:-
Mr.D.K.Kaushal, Advocate for the petitioner.

***** AUGUSTINE GEORGE MASIH, J.(ORAL) Petitioner has approached this Court with a grievance that she be allowed to continue in service till the age of 60 years in the light of the instructions dated 16.2.1996 (Annexure P-3) issued by the respondents, which entitles the handicapped persons to extension of two years in service.

These instructions were further clarified by the respondents vide instructions dated 17.1.2001, which restricted the benefit of extension in service to only blind employees.

The said instructions were challenged by one Bhupinder Singh by filing CWP No.7233 of 2010 (Bhupinder Singh versus State of Punjab and others).which writ

petition was decided by this Court on 25.5.2011.

Against the said judgment Letters Patent Appeal preferred by the respondent-State has been dismissed by the Division Bench of this Court in LPA No.1719 of 2012 titled State of Punjab versus Bhupinder Singh vide judgment dated 25.9.2012.

In the light of the above facts, counsel for the petitioner submits that directions may be issued to the Director Public Instructions CWP No.121 of 2013 -2- (Education) Punjab-respondent No.2 and District Education Officer, Ropar-respondent No.3 to consider and decide the legal notice dated 17.8.2012 (Annexure P-6) served by the petitioner upon the respondents claiming extension in service till the age of 60 years on the ground that she is handicapped and is entitled to continue in service until she attains the age of 60 years. In the light of the above, the present petition is disposed of with directions to the Director Public Instructions (Education) Punjab-respondent No.2 and District Education Officer, Ropar-respondent No.3 to consider and decide the legal notice dated 27.12.2012 (Annexure P-10) within a period of one month from the date of receipt of certified copy of the order.

Decision so taken be conveyed to the petitioner forthwith.

31.01.2013 (AUGUSTINE GEORGE MASIH) 'sp' JUDGE

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