

(2011) 12 AHC CK 0243
In the Allahabad High Court

Satish Chandra

APPELLANT

Vs

State of U.P Thru Principal Secy., Cooperative., and Ors.

RESPONDENT

Date of Decision : 31-12-2011

Acts Referred:

Citation : (2011) 12 AHC CK 0243

Hon'ble Judges : S.N.Shukla, J and R.R.Awasthi, J

Final Decision : Allowed

Judgement

Ritu Raj Awasthi, J.

1. Notice on behalf of the respondent No. 1 has been accepted by the learned Chief Standing Counsel whereas notice on behalf of the respondent Nos. 2 to 4 has been accepted by Mr. U.N. Mishra, Advocate.

2. Heard learned counsel for the petitioner as well as learned counsel for the respondents.

3. The petitioner has challenged the retirement notice whereby he has been asked to retire on attaining the age of 58 years on 31.12.2011.

4. It is not in dispute that in the rules which govern the age of retirement of ClassII employees, the age of retirement as on date is 58 years.

5. Learned counsel for the petitioner informs that by means of Government Order dated 23.12.2011, the State Government has decided to raise the retirement age from 58 years to 60 years and has issued direction to the Corporation to adopt the resolution accordingly and submit the same before the State Government for approval, in furtherance of which the Corporation had recommended for enhancement of age from 58 years to 60 years to the State Government where it is pending consideration.

6. We are informed that similar controversy as is involved in other Corporations is also engaging the attention of this Court through several writ petitions one of

which is Writ Petition No. 1346 (SB) of 2011.

7. Therefore, we hereby direct to list this writ petition along with Writ Petition No. 1346 (SB) of 2011.

8. Four weeks" time as prayed is allowed to the learned counsel for the Corporation to file counter affidavit.

9. List thereafter.

10. Meanwhile, as an interim measure, we hereby provide that the petitioner's retirement shall be subject to further orders of the Court.