

No.11/58/2023-1FR/1077
HARYANA GOVERNMENT
 Finance Department
 (Finance Regulation Branch)

Dated : 26.06.2026

To

1. All the Administrative Secretaries to Government Haryana.
2. The Registrar General, Punjab and Haryana High Court Chandigarh.
3. All Head of Departments in Haryana.
4. All the Commissioners of Divisions, Ambala, Karnal, Faridabad, Gurugram, Hisar and Rohtak.
5. All Deputy Commissioner and Sub Divisional Officers (Civil) in Haryana.

Subject : Regarding retirement on attaining the age of superannuation of 58 years of the disabled Government employees under Rule 143 of HCS (General) Rules, 2016.

Sir/Madam,

I am directed to invite your attention to FD's earlier instructions bearing No.11/58/2023-1FR/2714 dated 03.02.2026 & Notification No.11/58/2023-1FR/27758 dated 03.02.2026 regarding the subject noted above whereby, in the Haryana Civil Services (General) Rules, 2016, Rule 143, in sub-rule (1) clause (i), clause (ii), Note 1 and Note 3, were omitted.

2. In this regard, it is informed that **Hon'ble Superme Court of India in SLP (Civil) No.24294 of 2025** – Harpreet Singh, Director, The Haryana State Co-operative Apex Bank Ltd., Chandigarh Vs. Om Parkash Rana & others vide para 8 and 12 of its Order dated 14.10.2025 had decided as under:-

8. It is a well-settled principle of law, which we reiterate, that in cases where a person has attained the age of superannuation as prescribed under the applicable rules, no interim order should be passed permitting continuation in service beyond that age. Such orders are not only contrary to public policy but also against the well-settled canons of law.

12. For the reasons aforesaid, the appeal succeeds and is, accordingly, allowed. The interim order passed in the Writ Petition i.e., CWP No.14988/2025, permitting respondent no.1 to continue in service beyond the age of 58 years, stands set aside.

3. Hon'ble Punjab & Haryana High Court has passed Judgement dated 17.02.2026 in CWP No.4788 of 2026 - Surender Singh and anothers Vs. SoH & others wherein Hon'ble High Court did not find any error in the decision of the State Government in introducing the amendment in the Service Rules whereby the provision in question was withdrawn vide FD's notification dated 03.02.2026.

4. Recently, the Hon'ble Division Bench of Punjab and Haryana High Court in CWP No.5224 of 2026- Rajnish Kumar & others Vs. SoH & others has passed Judgement dated 10.03.2026 regarding discontinuation of the services of physically challenged/ disabled Government employees who were continuing to work, even after coming into force the Notification No.11/58/2023-1FR/27758 dated 03.02.2026, despite having

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attained the superannuation age of 58 years. Operating paras of Judgement dated 10.03.2026 are as under:-

30. We are therefore of the considered opinion that the decision of the State Government to revisit its decision of selectively granting the benefit of enhanced age of superannuation vide the impugned notification, does not violate any vested rights of the petitioners, either under the RPwD Act or under the Constitution of India.
34. As a result of the aforesaid discussion, we are of the view that the impugned notification cannot be said to have been issued without application of mind and does not suffer from the vice of arbitrariness.
37. In the instant case, we may take note that by virtue of interim orders passed by this Court, several employees are continuing to work, even after coming into force of the impugned notification, despite having attained the age of 58 years. Under such circumstances, we hold that all such employees who have crossed the age of 58 years, shall be entitled to protection of service benefits, like salary, pension, etc. till the date of their working. However, on account of the amendment in Rule 143 coming into force on 03.02.2026, **no existing employee can claim to continue till the age of 60 years.**
38. As a sequel to the aforesaid discussion, the writ petition is dismissed. There shall be no order as to costs. However, any service benefits that may have enured to the benefit of the employees on account of their working, after coming into force of the notification dated 03.02.2026 (Annexure P-6), shall not be withdrawn.
39. All pending applications, if any shall stand disposed of accordingly.

5. Further, Ld. Advocate General Haryana vide his note dated 30.04.2026 has also given opinion that " xxxxx. The amendment dated 03.02.2026 is retroactive in nature, which position also stands reflected and affirmed in the decision of the Hon'ble Court in Rajnish Kumar's case. Consequently, the same cannot be selectively applied or restricted only to disabled employees appointed subsequent to the judgement."

6. In view of the aforesaid Judgement dated 14.10.2025 of Hon'ble Supreme Court, judgement dated 17.02.2026 & judgement dated 10.03.2026 passed by Hon'ble Punjab & Haryana High Court and opinion given by Ld. Advocate General, following decisions have been taken:-

- a) To implement Judgement dated 10.03.2026 passed by the Hon'ble Punjab & Haryana High Court in CWP No.5224 of 2026- Rajnish Kumar & others Vs. SoH & others. Accordingly, all the physically challenged/disabled Government employees {other than those covered under para 6 (b) below} irrespective of their degree or category of disability working beyond the superannuation age of 58 years shall be relieved **immediately** in terms of Judgement dated 10.03.2026.
- b) To file written statement/reply alongwith CM applications for preponing the case as well as vacation of stay in the relevant cases with reference to Judgement dated 14.10.2025 & 10.03.2026, referred above.
- c) To get the pending court cases disposed of by apprising the Hon'ble Punjab & Haryana High Court through Ld. Advocate General about Judgement dated 17.02.2026 passed in CWP No.4788 of 2026 - Surrender Singh and anothers Vs. SoH & others wherein Hon'ble High Court did not find any error in the decision of

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the State Government in introducing the amendment in the Service Rules whereby such provision was omitted vide FD's notification dated 03.02.2026.

7. The Administrative Secretaries and Head of Departments concerned shall take proactive necessary action on the decisions taken at para 6 above **immediately**.
8. Copy of these instructions is available on the official website of the Finance Department i.e. *finhry.gov.in* for kind information and strict compliance.
9. This issues with the approval of competent authority.

C. S. J.
26/6/26

Chief Accounts Officer
for Additional Chief Secretary to Govt. Haryana,
Finance Department 26/06/26

Endst.No.11/58/2023-1FR/1077

Dated: 26.06.2026

A copy is forwarded to the following for information and necessary action:-

1. Chief Secretary to Government Haryana, Human Resources Department (HR-I Branch).
2. Administrative Secretary to Govt. Haryana, Law & Legislative Department, Haryana Civil Secretariat, 9th Floor, Chandigarh.
3. Advocate General, Haryana, Chandigarh w.r.t. legal opinion dated 30.04.2026.
4. Principal Accountant General (A&E), Haryana, Chandigarh.
5. Principal Accountant General (Audit), Haryana, Chandigarh.
6. Incharge, Computer Cell (Finance Department) for uploading these instructions on the website of the Finance Department.

C. S. J.
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Chief Accounts Officer
for Additional Chief Secretary to Govt. Haryana,
Finance Department 26/06/26