

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.2069 of 2014 (O&M)
Date of Decision: 27.01.2015

Ram Kumar

..Appellant

versus

State of Haryana and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE.
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASHI.**

Present : Mr. Raman Chawla, Advocate, for the appellant.

S.J.VAZIFDAR A.C.J. (Oral)

CM No. 4348-LPA of 2014

Heard. For the reasons mentioned in the application, delay of 12 days in re-filing the appeal is condoned and the application stands disposed of.

LPA No. 2069 of 2014

The appellant-original petitioner has challenged the order of the learned Single Judge dismissing his writ petition challenging the adverse remarks recorded in his Annual Confidential Reports for the period 2010-11 and a notice calling upon him to show-cause why he ought not to retire on 11.09.2014 on completion of 55 years of age.

2. The learned Single Judge has observed that the appellant had not even filed the reply to the notice. The learned Single Judge rightly did not interfere at the stage prior to the hearing of show-cause notice. Considering the allegations against the appellant, there was no justification for quashing the show-cause notice.

3. Learned counsel appearing on behalf of the appellant states that subsequently the appellant has been compulsorily retired.

The appellant is always at liberty to challenge the order. Learned counsel for the appellant also states that it was unfortunately not pointed out to the learned Single Judge that reply to the show-cause notice had been filed. It would be open to the appellant to urge this point in a fresh writ petition, if filed.

The appeal is accordingly disposed of subject to the above clarification.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

(AUGUSTINE GEORGE MASIH)
JUDGE

27.01.2015
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