

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.781 of 2015 (O&M)

Date of Decision: July 08, 2015

Sahdev Singh

.....Appellant

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Kanwar Deep Singh, Advocate, for the appellant.

Mr.D.S.Nalwa, Advocate, for the respondents-HUDA.

:-

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The learned Single Judge has in the judgment under appeal dated 01.05.2015 followed an earlier decision dated 19.03.2015 rendered in CWP No.5491 of 2013 (Shri Momen Ram versus State of Haryana and others) and consequently dismissed the appellant's writ petition, challenging the order of compulsory retirement.

On a perusal of the judgment in Momen Ram's case (supra), we find that the controversy in the instant case is similar to that case. We are informed that LPA No.656 of 2015 filed against the judgment dated 19.03.2015 in Momen Ram's case (supra) has been dismissed by a Coordinate Bench on 26.05.2015. Earlier also, in LPA No.972 of 2011 (Kulwant Singh versus State of Haryana and another) which was dismissed on 30.05.2011, similar issue was raised. There, the appellant was

promoted from the post of Peon to Clerk and he too could not pass the type test and continued to work as a Clerk for a considerable long period. His compulsory retirement was upheld by the learned Single Judge.

In view of the consistent view taken by different Benches, we do not find any merit in this appeal.

Dismissed.

[SURYA KANT]
JUDGE

July 08, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE