

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 16469 of 2012
Date of decision:8.9.2016

Balwan Singh ... Petitioner
Versus
The State of Haryana & ors. ... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Jagdish Manchanda, Advocate,
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

Mr. Gaurav Mohutna , Advocate,
for respondents No. 2 & 3.

RAJIV NARAIN RAINA, J.(Oral)

This petition was filed seeking quashing of the order of compulsory retirement and extension of adverse remarks recorded in the ACR of the petitioner for the block period of 2005 to 2008. The respondents have withdrawn the order of compulsory retirement which renders the writ petition infructuous. However, a separate order dated July 27, 2016 has been passed by the disciplinary authority denying arrears of salary for the period consequent upon the compulsory retirement order and order of reinstatement on the principle of 'no work no pay', which has been taken on record at the previous hearing as mark 'A'. If the petitioner feels that the said order is adverse to his interest he is free to challenge the same in separate proceedings in accordance with law since it gives rise to an independent and fresh cause of action.

The petition is rendered infructuous and is disposed of accordingly but with the liberty granted as aforesaid.

8.9.2016
monika

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable:

Yes / No