

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.19562 of 2016

Date of Decision: 21.09.2016

Ram Chander

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. R.S. Mamli, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.

1. The petitioner approached this Court earlier in a writ petition and withdrew it to file a fresh one with better particulars. He was permitted to do so. The petitioner has approached the Court again without improving upon the earlier petition which demanded for judicial scrutiny of his case on merits against his compulsory retirement at age 55 by at least placing his ACRs on record as entered in his Confidential Rolls throughout service with greater emphasis on the previous ten years.

2. The petitioner submits that he applied for his ACRs but the same has not been supplied to him by the department. This Court can only remind the petitioner of his rights, the right to supply of copies of the ACRs in view of the law settled by the Supreme Court in Dev Dutt v. Union of India and others, (2008) 8 SCC 725. There is no longer any confidentiality or secret in Confidential Rolls. This Court will not make a roving inquiry in the case of compulsory retirement by calling upon the State to make out a

case for petitioner on summons issued. The Right to Information Act, 2005 empowers him to apply for documents which may not be withheld. It is for the petitioner to make out a prima facie case for admission and not for the court to act in aid.

3. This petition is therefore dismissed with liberty to the petitioner yet again to approach the Court with the entire docket of ACRs/Confidential Rolls and service record on the judicial file.

(RAJIV NARAIN RAINA)
JUDGE

21.09.2016
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Whether speaking/reasoned	Yes
Whether reportable	No