

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 17730 of 1999 (O&M)

Date of decision: 1.9.2017

Sohan Pal Singh

.. Petitioner

VS

State of Haryana and another

.. Respondent

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Ms. Nupur Choudhary, Advocate for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Rajesh Bindal, J.

The petitioner approached this court impugning the order dated 25.8.1999, vide which he was pre-maturely retired from service and in lieu of three months' notice, salary was paid.

The case set up by the petitioner was that he had more than 70% good reports in last 10 years before pre-mature retirement. However, the case set up by the State is that the petitioner did not have 70% good reports in the last 10 years and further certain adverse remarks were also recorded in his ACRs. The details thereof have been furnished in Annexure R-II annexed with the reply.

A perusal of the ACRs of the petitioners for the last 10 years shows that he had "average" and "below average" ACRs for the years 1989-90 and 1990-91 and 1998-99. In the year 1992-93, for the period from 1.4.1992 to 13.8.1992, the rating is "good", whereas for major part of the year from 14.8.1992 to 31.3.1993, his ACR is recorded as "average".

Similarly, in the year 1996-97, for the period from 1.4.1996 to 16.7.1996, the rating is “good”, whereas for the period from 16.7.1996 to 31.3.1997, his ACR is recorded as “average”.

Though petitioner sought to raise an issue that representations were filed against the adverse remarks which were not decided and further that the reporting officer was biased against him. However, a perusal of material placed on record by the respondents shows that representations were rejected long back and there were different reporting officers recording ACRs, hence, there is no merit in the arguments raised.

Considering the aforesaid facts, in my opinion, there is no error in prematurely retiring the petitioner at the age of 55 years. Accordingly, the writ petition is dismissed.

1.9.2017	(Rajesh Bindal)
vs	Judge
Whether speaking/ reasoned	Yes/No
Whether Reportable	Yes/No