IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-3498-2018
Date of Decision: March 26, 2018

ASI Joginder Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Aditya Yadav, Advocate,
for the petitioner.

Mr. Hitesh Pandit, Addl. AG, Haryana,
for the respondents.

ARUN PALLI, J. (ORAL)

The petitioner is aggrieved by an order, dated 05.02.2018 (Annexure P-5), passed by the Superintendent of Police, Bhiwani (respondent No. 4), vide which he is proposed to be retired from service on attaining the age of 55 years, in terms of Rule 9.18(I)(C) of the Punjab Police Rules, 1934 (as applicable in State of Haryana), read with Rule 144 and 145 Chapter-XI of the Haryana Civil Servce (General) Rules, 2016. It is urged that a departmental appeal (Annexure P-6), against the impugned order, is pending since 07.02.2018, before the Inspector General of Police, Rohtak Range, Rohtak (respondent No. 3), but continuous to await consideration of the competent authority. Whereas, in terms of the impugned order, the petitioner shall be prematurely retired from service on 05.04.2018.

In response, learned State counsel submits that the appeal preferred by the petitioner, dated 07.02.2018 (Annexure P-6), shall be

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considered and decided at the earliest. And, appropriate orders, in accordance with law, shall be passed. And, till the time the appeal is disposed of, services of the petitioner shall not be dispensed with.

The petition is accordingly disposed of in the above terms. Needless to assert, if the appeal preferred by the petitioner is declined, the respondent authorities shall pass a comprehensive order, after affording an opportunity of hearing to the petitioner, assigning reasons in support thereof.

(ARUN PALLI)
JUDGE

March 26, 2018
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Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO

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