

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

214

CWP No.16919 of 2017
DECIDED ON : 31.01.2020

Daljit Singh

...Petitioner

versus

State of Haryana and others.

...Respondents

CORAM : HON'BLE MR. JUSTICE GIRISH AGNIHOTRI

Present : Mr. Nonish Kumar, Advocate
for the petitioner.

Ms. Safia Gupta, Asstt. A.G., Haryana.

GIRISH AGNIHOTRI, J. (ORAL)

Present petition has been filed by petitioner-Daljit Singh, *inter alia*, with the prayer to quash the notice/order dated 11/13.05.2017 (Annexure P-11) passed by respondent No. 4, vide which the petitioner was ordered to be compulsory retired from the government service after attaining the age of 55 years.

Writ petition has been filed, *inter alia*, on various grounds. In the order dated 01.08.2017, the contention of the petitioner was noticed and the operation of order dated 11.05.2017 (Annexure P-11) was stayed. The order dated 01.08.2017 is reproduced as under:-

“Counsel inter alia submits that the petitioner is being retired at the age of 55 years on the basis of the record vide order dated 11.05.2017 (Annexure P-11). Reference is made to the adverse entries made in Annexure P-10 where, reference is made to stoppage of three annual increments with permanent effect which were stopped on corruption charges and also to the other adverse remarks for the period from 01.04.2016 to 23.12.2016. It is firstly contended that the stoppage was with temporary effect by respondent no. 4

(Annexure P-8) and an appeal is pending before respondent no. 3 (Annexure P-9). Reference is also made to the reports from 17.06.2007 onwards (Annexure P-12 colly) till 31.03.2016 to show that there was no such adverse entry on an earlier occasion and on account of a stray entry passed, the order was not justified.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of the respondents and prays for time. Requisite number of copies of the writ petition be supplied to her during the course of the day.

Adjourned to 12.10.2017.

In the meantime, operation of order dated 11.05.2017 (Annexure P-11) shall remain stayed.”

After notice of motion, written statement has been filed by respondents No.1 to 4. Along with the written statement, order dated 07.08.2017 has also been appended as Annexure R-1. Vide this order, the impugned order dated 13.05.2017 has been cancelled.

In view of the above, writ petition is disposed of.

No further orders are called for.

(GIRISH AGNIHOTRI)
JUDGE

January 31, 2020

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Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO