

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

CWP- 374-2021

Date of Decision : January 08, 2021

Ashok Kumar

..... PETITIONER(S)

VERSUS

State of Haryana and others

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. N.K. Malhotra, Advocate, for the petitioner.
 Mr. Rajesh Gaur, Additional Advocate General, Haryana.

...

Sanjay Kumar, J.

The petitioner, an ORP/SI in the service of the Haryana Police, is to be compulsorily retired from service w.e.f. 21.03.2021 as he was denied extension of service beyond the age of 55 years, vide order dated 25.11.2020 passed by the Deputy Commissioner of Police, Headquarters, Gurugram. Aggrieved thereby, he filed the present writ petition.

However, the material placed on record reflects that the petitioner preferred an appeal on 10.12.2020 against the aforestated order dated 25.11.2020 before the Commissioner of Police, Gurugram. As the Appellate Authority is seized of the issue as on date, this Court finds no

grounds to entertain this writ petition for adjudication on merits. It would

be proper that the petitioner's grievance is addressed in the first instance by the statutory Appellate Authority.

Mr. Rajesh Gaur, learned Additional Advocate General, Haryana, would assure this Court that the said appeal would be disposed of on merits and in accordance with law, given sufficient time.

The writ petition is accordingly disposed of directing the Commissioner of Police, Gurugram, the 3rd respondent herein, to consider the petitioner's appeal on its own merits and in accordance with law and pass a reasoned order thereon. This exercise shall be concluded expeditiously and in any event, not later than one month from the date of receipt of a certified copy of this order. The decision taken by the Appellate Authority shall be communicated forthwith to the petitioner.

In the circumstances, there shall be no order as to costs.

January 08, 2021
Kang

(Sanjay Kumar)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No