

RA-CW-78-2022 in
CWP-5113-2022

DHARAMBIR SINGH SIWACH
V/S
STATE OF HARYANA AND OTHERS

Present:- Mr. Lalit Kumar Narang, Advocate for the applicant/petitioner.

Learned counsel for the applicant/petitioner submits that in the order passed on 16.03.2022, there is an error as the petitioner was 53 years of age at the time of his compulsory retirement while it is recorded therein that the petitioner had attained the age of 60 years when he was compulsorily retired. He further submits that this Court did not consider that the complainant had forwarded a complaint to the SHO Women Police Station, Khanpur but in response to the RTI application preferred by the petitioner, he was informed by the State Public Information Officer-cum-Deputy Superintendent of Police, Sonipat (Annexure P-10), that no such complaint had been received from the complainant.

After hearing the counsel for the applicant, I am of the considered view that there appears to be an error in the order with regard to the age of the petitioner at the time of compulsory retirement although the order was passed in Court in presence of the counsel for the petitioner who could not point out the same at that time. Insofar as the other contention of the counsel for the applicant that this Court did not take into consideration the factum of a complaint having not been received by the police authorities is concerned, I am of the view that it would not have any bearing on the conclusion arrived at by the order dated 16.03.2022.

The petitioner had been compulsorily retired after an enquiry had been conducted by the disciplinary authorities. They have not relied upon the factum of police action or inaction in the complaint filed by the complainant.

Consequently, I do not find any merit in the review application which stands dismissed. However, in the order dated 16.03.2022, the age of the petitioner would be read as 53 instead of 60 years.

**(ANUPINDER SINGH GREWAL)
JUDGE**

May 11, 2022

sonia gugnani