

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

**CM-2324-CWP-2022 in
CWP-20472-2021 (O&M)
Date of Decision: 24.02.2022**

BALWANT SINGH

..... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Parth Goyal, Advocate
for the applicant-petitioner.

Mr. Rohit Arya, DAG, Haryana.

Mr. Kanwal Goyal, Advocate
for respondent no.5.

LISA GILL, J.

CM-2324-CWP-2022

Document Annexure P-12 annexed alongwith the application,
is taken on record, subject to just exceptions.

Application is disposed of.

CWP-20472-2021

Short reply dated 22.02.2022 on behalf of respondents no.1 to
3, filed in Court today, is taken on record, subject to just exceptions.

This writ petition has been filed for quashing of order dated
27.08.2021 (Annexure P-7), passed by the State Commissioner for the
Persons with Disabilities, Haryana, whereby it was recommended that
extension of service to the petitioner after his normal tenure of service be
not allowed.

While issuing notice of motion, contentions on behalf of the petitioner were noted as under:-

“Counsel inter alia submits that vide impugned order dated 27.08.2021 (Annexure P-7), the Commissioner-respondent no. 4 came to the conclusion that the petitioner is not to be recommended for extension in service after his normal tenure of service while noting that the petitioner has been charge sheeted under Rule 8 of the Haryana Civil Services (Punishment & Appeal) Rules, 2016. It is submitted that the petitioner has already been warned to remain careful in future as per the order dated 09.05.2019 (Annexure P-5). It is submitted that the said recommendation would adversely effect the petitioner who has a clean record, while referring to Annexure P-1. It is submitted that the petitioner's application dated 12.07.2021 (Annexure P-6) for extension in service is pending with the respondent-State.”

Learned counsel for the State submits that the present writ petition is rendered infructuous as extension in service has been afforded to the petitioner for two years w.e.f. 01.01.2022 to 31.12.2023, vide order dated 30.12.2021 (Annexure R-1). Learned counsel for respondent no.5 has opposed this extension.

Be that as it may, present writ petition is indeed rendered infructuous and is disposed of accordingly. Respondent no.5 is at liberty to avail the remedy/remedies as may be available to him to challenge order dated 30.12.2021 (Annexure R-1), in accordance with law.

(LISA GILL)
JUDGE

24.02.2022

Sunil

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