



226
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4118-2022 (O&M)
Date of decision: 09.08.2024

Ram Pal Yadav and another

...Petitioner(s)

VERSUS

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. S.K. Nehra, Advocate, for the petitioners.

Mr. Gaurav Jindal, Additional Advocate General, Haryana.

Mr. Maninder Jit, Advocate for
Mr. Amit Jaiswal, Advocate, for respondents No.2 and 3.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 23.02.2022 (Annexure P-8).
2. At the outset, learned counsel for the petitioners has submitted that both the petitioners were compulsory retired and they have already attained the age of superannuation in the year 2022. He submitted that there was an interim order passed vide order dated 03.03.2022 whereby the impugned order of compulsory retirement was stayed and thereafter, the petitioners have attained the age of superannuation. He referred to a Division Bench judgment of this



Court in *Sudarshan Kumar Sharma Versus State of Punjab and others, CWP No.837 of 2005, decided on 21.02.2013* and stated that since the petitioners have already attained the age of superannuation and the interim order was continued, therefore, the present petition can be disposed of and a direction may be issued to the respondents that the retiral benefits, if not paid, be paid to the petitioners.

3. In view of the aforesaid facts and circumstances, since with the efflux of time the petitioners have already attained the age of superannuation and at the time when they have retired, the interim order passed by this Court regarding the stay of the operation of the order of compulsory reitirement was in operation, therefore, the present petition is disposed of. The prayer of the petitioners with regard to consequential benefits is also covered by the aforesaid Division Bench judgment of this Court. It is, therefore, directed that the retiral benefits, if not paid, shall be paid to the petitioners.

09.08.2024

rakesh

(JASGURPREET SINGH PURI)

JUDGE

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