



**CM-12775-CWP-2023 in/and
CWP No.8074 of 2020
Date of Decision : 12-08-2024**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

HARSIMRAN SINGH SETHI, J. (Oral)

CM-12775-CWP-2023

This is an application for placing on record replication to the written statement filed by respondent Nos.1 and 2.

Keeping in view the contents mentioned in the application, the same is allowed. Replication to the written statement filed by respondent Nos.1 and 2 is taken on record.

CWP No.8074 of 2020

In the present petition, the challenge is to the order dated 19.03.2020 (Annexure P-4) by which, the petitioner has been reverted from the post of Assistant Registrar to that of Inspector Cooperative Societies.

Learned counsel for the petitioner submits that while issuing the notice of motion, the operation of the impugned order was stayed subject to the outcome of the result of the examination held in March 2020 and as the petitioner cleared the said departmental examination in March 2020, the petitioner was allowed to continue and has already retired and therefore, the respondents be directed not to implement the impugned order dated 19.03.2020 (Annexure P-4) any further.

Learned counsel for the respondents submits that though, under the interim orders of the Court, the petitioner has continued but, the petitioner did not tell actual facts while getting the interim order from this Court.

Learned counsel for the respondents submits that though the petitioner was directed to clear the examination within three chances available whereas, the chance availed in March 2020 was the 4th chance of the petitioner wherein she cleared the examination but the said clearing of the examination was beyond the period of one and a half year prescribed to clear the departmental examination.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

Once, it is not disputed that the petitioner has cleared the departmental examination and it is also not disputed that the petitioner has already retired while working from the post of Assistant Registrar, in the facts and circumstances of the present case, not to be treated as a precedent in any manner, the respondents are directed not to give effect to the order of

reversion any further and the petitioner will be treated as Assistant Registrar at the time of retirement for all intents and purposes.

Hence, the present petition is disposed of.

Pending application, if any, also stands disposed off.

12-08-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking : YES/NO
 Whether reportable: YES/NO