



CWP No.19411 of 2006 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

744

CWP No.19411 of 2006 (O&M)
Date of Decision:19.09.2024

Suresh Chandra Joshi

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Amrit Paul, Advocate,
for the petitioner.

Mr. Tapan Kumar, DAG, Haryana

Mr. Vivek Singla, Advocate,
for respondents No.3 to 10.

AMAN CHAUDHARY, J. (Oral)

1. The challenge in the present petition was to the order dated 04.12.2006, Annexure P-15, whereby the petitioner was reverted from the post of Deputy Superintendent to Assistant In-charge, which the Division Bench vide order dated 07.12.2006 had stayed which continued till he passed away in the year 2011, though was to retire in 2013. In **Sudarshan Kumar Sharma vs. The State of Punjab and others**, CWP-837-2005, the Division Bench of this Court vide its judgment 21.02.2013, held thus:

“The petitioner was appointed as Sanitary Inspector, Municipal Committee, Ludhiana and he earned



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promotions from time to time. In the year 1994, he was promoted as Superintendent Vaccination. Thereafter, in the year 1997, he was given promotion to the post of Registrar (Births & Deaths), Municipal Corporation, Ludhiana vide orders dated 28.5.1997. Subsequently, show cause notice dated 16.1.2003 was issued to him which culminated in his reversion from the post of Registrar (Births & Deaths). Challenging these orders, the petitioner filed the instant writ petition. The petitioner also prayed for interim stay of operation of the reversion orders. Interim orders were passed in his favour by this Court. Under the umbrella of the said stay orders, the petitioner continued to work as Registrar (Births & Deaths) and has since retired as well from that post on 31.12.2009. As the petitioner, on account of stay order, continued to work as Registrar (Births & Deaths) and has even retired from that post, it is not necessary to go into the validity of the orders impugned in this petition.

Retiral benefits, if not paid, shall be released to the petitioner as if the petitioner had retired as Registrar (Births & Deaths).

The writ petition is, accordingly, disposed of.”

(Emphasis Supplied)

2. Learned counsel for the State as well as for respondents No.3 to 10, being unable to controvert the factual position and draw out any distinctive the above, the present petition is disposed of in terms of the judgment passed in **Sudarshan Kumar Sharma** (supra).

3. Pending application(s), if any, also stand(s) disposed of.

(AMAN CHAUDHARY)
JUDGE

September 19, 2024

dinesh	Whether speaking	:	Yes/No
	Whether reportable	:	Yes/No