



CWP-11259-2024

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-11259-2024

Date of decision : 15.05.2024

Mahender Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Ankur Lal, Advocate
for the petitioner.

Ms.Palika Monga, DAG, Haryana.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari quashing the impugned ACR of the petitioner recorded for the period dated 26.10.2021 to 31.03.2022 (Annexure P-1), impugned enquiry report dated 06.10.2022 (Annexure P-2), impugned show notice dated 12.10.2022 (Annexure P-3), impugned punishment order dated 09.12.2022 (Annexure P-5), impugned notice of retirement dated 26.04.2024 (Annexure P-6) and impugned order dated 01.05.2024 of compulsory retirement (Annexure P-7).

2. Learned counsel for the petitioner has submitted that the impugned notice dated 26.04.2024 (Annexure P-6) and order dated



CWP-11259-2024

2

01.05.2024 (Annexure P-7) are stigmatic and deserve to be set aside.

3. Learned State counsel at the outset has submitted that vide orders dated 14.05.2024 and 15.05.2024, copies of which have been handed over to this Court during the course of arguments, which are taken on record as “Mark A and Mark B”, the said notice and order have been withdrawn with liberty to issue fresh notice and to pass a fresh order, in accordance with law and thus, the present writ petition has been rendered infructuous.

4. Learned counsel for the petitioner, in view of the said stand of learned State counsel, seeks to withdraw the present petition with liberty to file a fresh petition, in case, any cause survives.

5. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

6. It is made clear that in case any such petition is filed, then all the issues would be considered afresh.

(VIKAS BAHL)
JUDGE

May 15, 2024
Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No