



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

864

CWP-3101-2009 (O&M)
Date of decision: 27.09.2024

Ashok Kumar

....Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Balkar Singh, Advocate for the petitioner

Mr. Tapan Kumar, DAG Haryana

AMAN CHAUDHARY, J. (ORAL)

1. The prayer in the present petition is for quashing the impugned orders, whereby the petitioner was reverted from the post of Assistant Electrician to Helper, Class-IV on 13.02.2009, which this Court vide order dated 02.03.2009, had stayed the reversion of the petitioner and during interregnum, he is stated to have retired from service. In similar set of circumstances, in **Sudarshan Kumar Sharma vs. The State of Punjab and others**, CWP-837-2005, the Division Bench of this Court vide judgment dated on 21.02.2013, held thus:

“The petitioner was appointed as Sanitary Inspector, Municipal Committee, Ludhiana and he earned 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 State counsel has been unable to controvert the factual position and draw out any distinctive aspects in the aforementioned judgment or cite any contrary law.
3. The present petition is disposed of in terms of the judgment passed in **Sudarshan Kumar Sharma** (supra).

(AMAN CHAUDHARY)
JUDGE

27.09.2024
M.Kamra

Whether speaking/reasoned

Whether reportable

: Yes / No

: Yes / No