



127

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-777-2025**Date of Decision: 15.01.2025****SATBIR SINGH**

..... Petitioner

*Versus***STATE OF HARYANA AND OTHERS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Sunil K. Nehra, Advocate with
Mr. Rahil Mahajan, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. AG, Haryana.

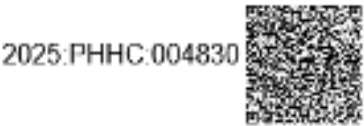
JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 07.01.2025 (Annexure P-3) whereby petitioner is ordered to be compulsorily retired from service.

2. The respondent by impugned notice has given opportunity to petitioner to submit representation against decision of Commissioner of Police, Sonapat of not retaining him in service beyond 55 years. The respondent has formed an opinion that integrity of petitioner is doubtful, thus, he is not eligible for extension in service beyond 55 years. He deserves to be retired prematurely.

3. Mr. Sunil K. Nehra, counsel for the petitioner submits that underpinning of the impugned order is an adverse remark about integrity recorded in the ACR. The petitioner has preferred representation against adverse remarks recorded in the ACR. The said representation is still pending. The action of respondent is contrary to provisions of Rule 9.18(1) (c) of Punjab Police Rules, 1934 (for short '1934 Rules') as made applicable to State of Haryana.

4. Notice of motion.



5. Ms. Rajni Gupta, Addl. AG, Haryana who on advance notice is present in Court, accepts notice on behalf of the respondent-State and waives service.

6. With consent of learned counsel for the parties, the case is taken up for final disposal.

7. Ms. Rajni Gupta, Addl. AG, Haryana concedes that representation against adverse remarks in ACR is still pending.

She submits that impugned notice was issued on 07.01.2025 (Annexure P-3) and as per Rule 9.18(1)(c) of 1934 Rules, the petitioner has to make representation and an appropriate would be passed at-least after three months from today. The Competent Authority would decide representation of the petitioner against adverse remarks prior to taking final decision on impugned notice dated 07.01.2025 (Annexure P-3).

8. In the wake of statement of both sides, the present petition stands disposed of with a direction to respondent to decide fate of impugned notice dated 07.01.2025 (Annexure P-3) after adjudicating petitioner’s representation against adverse remarks in ACR. It is made clear that petitioner is at liberty to file representation against impugned order within two weeks from today. He would at liberty to assail adverse order, if any, passed *qua* impugned notice dated 07.01.2025 (Annexure P-3). The respondent would also be at liberty to pass an appropriate order after expiry of two weeks from the date of adjudication of representation against adverse remarks in ACR.

(JAGMOHAN BANSAL)
JUDGE

15.01.2025
Ali

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No