



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

Date of Decision: 23.12.2025

1. CWP-10744-2003 (O&M)

Rajinder Singh

...Petitioner

Versus

State of Haryana and Others

...Respondents

2. CWP-17462-2004 (O&M)

Rajinder Singh

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Rakesh Nagpal, Advocate for the petitioner.

Mr. Ravi Partap Singh, DAG, Haryana.

JAGMOHAN BANSAL, J. (ORAL)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from **CWP-10744-2003**.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of orders dated 19.10.2001, 30.10.2001, 29.09.2002 and 10.05.2002.

3. The petitioner joined Haryana Police as Constable in April' 1973. He was promoted from time to time. He was charge sheeted on 27.04.2001 for not taking adequate steps to check and detect crime in the area. He was declared guilty of the charges by Inquiry Officer. He was issued show cause notice for inflicting punishment of stoppage of five

increments. Superintendent of Police awarded him punishment of stoppage of three increments with permanent effect. He preferred appeal which came to be dismissed by Inspector General of Police. The respondent further recorded adverse remarks in his ACR for the period from April' 2000 to November' 2000 and November' 2000 to March' 2001.

4. Learned counsel for petitioner relying upon judgment of this Court in ***CWP No.21150 of 2015*** titled as ***Kaptan Singh Versus State of Haryana and Others***; ***CWP No.8472 of 1995*** titled as ***Ram Lal Versus State of Haryana***; and ***CWP No.5210 of 1986*** titled as ***H.C. Prithi Singh Versus State of Haryana and Others*** and judgment of Hon'ble Supreme Court in ***Krishna Kumar Versus Divisional Assistant Electrical Engineer, 1979 (4) SCC 289*** submits that punishment order was passed by Superintendent of Police whereas his Appointing Authority was Deputy Inspector General of Police (DIG). The petitioner, at the time of passing impugned order, was holding rank of Assistant Sub Inspector (ASI). He was promoted as ASI by DIG, thus, punishment order could be passed by DIG. The petitioner was wrongly made to retire at the age of 55 years.

5. This Court considering plethora of judgment in ***CWP No.2766 of 2025*** titled as ***Naresh Kumar Versus State of Haryana and Others*** has clearly held that Appointing Authority for disciplinary action up to the rank of Sub Inspector is Superintendent of Police. In the case in hand, the petitioner was holding rank of ASI, thus, Superintendent of Police was quite competent to pass punishment order.

6. The respondent by impugned notice/order has retired the petitioner on attaining the age of 55 years. The said order has been passed in exercise of power conferred by Rule 5.32(1)(c) of Punjab Civil Services Rules, Volume-II, Rule 3.26(d) of Punjab Civil Services Rules, Volume-I, Part-I and Rule 9.18(1)(c) of Punjab Police Rules, 1934 (as applicable to State of Haryana) (for short ‘PPR’).
7. Order of retirement at the age of 55 years was passed on 11.09.2004. Had the impugned order not been passed, the petitioner would have worked for three more years. He was part of Haryana Police Force and his service was pensionable, thus, he must have received pension which is 50% of last drawn salary. He had not worked during said period. Thus, at this stage, no interference is warranted.
8. Scope of interference in ACR matters is very limited. An Authority is best judge of subordinate’s strength and weakness. In the absence of material irregularity, the Court cannot substitute opinion of the authorities.
9. In the wake of afore-cited factual and legal position, this Court does not find it appropriate to interfere with impugned orders. The instant petitions deserve to be dismissed and accordingly ***dismissed.***
10. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

23.12.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No