



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

656+668

CWP-20128-2003 (O&M)

Date of decision: 25.04.2025

Subhash Chander Abrol

....Petitioner

Versus

State of Punjab and Others

...Respondents

CWP-1391-2004 (O&M)

Dharam Paul

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sanjeev Kumar Arora, Advocate for the petitioner
in CWP-20128-2003

Mr. Saurav Saini, Advocate for
Mr. Arihant Goyal, Advocate for the petitioner in CWP-1391-2004

Mr. Arun Gupta, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. These cases involve similar issues and therefore, are being disposed of together by this common order and for the sake of brevity, the facts are being taken from CWP-20128-2003.

2. Prayer made in the present petitions for quashing the impugned order dated 08.12.2003, reverting the petitioner.

3. Learned counsel submits that after the petitioner was promoted from Superintendent Grade-II to Grade-I, the impugned order came to be passed on the ground that the Government was the competent authority to promote him, however, as per Rules 4 and 9 of the Punjab District Service (Class-III) Rules, 1976, the Commissioner of the division concerned was empowered for the same.



Even otherwise, learned counsel submits that after the interim order was passed by the Division Bench on 09.01.2004 staying the impugned order, the petitioner stood retired on 31.12.2005. 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)

4. The petitions are disposed of in terms of **Sudarshan Kumar Sharma** (supra).
5. A photocopy of this order be placed on the file of connected case.

(AMAN CHAUDHARY)
JUDGE

25.04.2025
M.Kamra

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No