



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

CWP No. 5659 of 2000 (O&M)

Date of Decision: 25.02.2025

Mohinder Singh (Retd.), Sub Inspector

....Petitioner

VS.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Shubham Saroha, Advocate for
Mr. Shish Pal Laler, Advocate
for the petitioner

Mr. Raman Sharma, Addl. A.G., Haryana

Ms. Shifali Goyal, Advocate
for respondent No. 5

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of notice dated 19.07.1999 (Annexure P-2) whereby he was compulsorily retired on attaining the age of 55 years.

2. The impugned order was passed on 19.07.1999 and period of 25 years from the said date has passed away. In the absence of impugned order, the petitioner was entitled to work till 2002. The respondent has right to chop off dead woods. The Court time and again has held that employer in terms of Article 310 of Constitution of India has absolute power to dispense



with services of its employees on attaining a particular age if it finds that the services rendered by the employee are not upto the mark. This Court could have examined validity of impugned order had three years from the passing of impugned order not passed whereas a period of 25 years has passed away. In these circumstances, this Court does not find it appropriate to invoke its writ jurisdiction under Articles 226/227 of Constitution of India.

- 3. Dismissed.
- 4. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

25.02.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No