



CWP-8662-2000

1

102

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

**CWP-8662-2000 (O&M)
Date of Decision: 19.05.2025**

PARVEEN KUMAR

..... Petitioner

*Versus***STATE OF HRY. & ORS.**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. S.R. Hooda, Advocate
for the petitioner.

Mr. Raman Sharma, Addl. AG, Haryana.

Ms. Sony, Advocate for
Mr. Rajeev Sharma (Raju), Advocate
for respondent No.5.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 12.05.2000 whereby Joint Secretary has set aside order passed by Additional Registrar Cooperative Societies, Haryana.

2. The petitioner joined respondent as Salesman on 01.02.1999. His appointment came to be cancelled by Deputy Registrar vide order dated 09.04.1999. He preferred an appeal before Appellate Authority. Additional Registrar allowed his appeal vide order dated 06.12.1999. The respondent preferred revision before Government which came to be allowed vide order dated 12.05.2000 passed by Joint Secretary.

3. Learned counsel for the petitioner submits that respondent No.6 despite being ineligible was appointed. His appointment needs to be



set aside.

4. Learned counsel for the respondents submits that respondent No.6 on attaining the age of superannuation has already retired. No adverse order may be passed against respondent No.6 because he has already retired after serving for more than 25 years.

5. The impugned order was passed on 12.05.2000. A Division Bench of this Court issued notice of motion on 12.07.2000. The petition was admitted on 03.10.2000. The operation of impugned order was never stayed. The petitioner joined service on 01.02.1999 and his appointment was cancelled on 09.04.1999, meaning thereby, his appointment remained in force for two months. A period of 25 years has passed away and respondent No.6 has already retired. This Court, at this belated stage, considering the length of service of the petitioner, factum that respondent No.6 has already retired and judgment of Supreme Court in ‘*Sivanandan C.T. and others Vs. High Court of Kerala and others*’ 2023 SCC OnLine SC 994, does not find it appropriate to disturb appointment of respondent No.6.

6. Dismissed.

7. Pending misc. application (s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

19.05.2025
Ali

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