



CWP-12713-2002 (O&M)

-1-

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

335

CWP-12713-2002 (O&M)

Date of Decision: 02.09.2025

SHRI BHAGWAN

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- None for the petitioner

Mr. Suneel Ranga, DAG Haryana (through V.C.)

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of:-

- i. Adverse entry recorded in the Annual Confidential Report for the period from 30.04.2002 to 21.08.2002:
- ii. Show cause notice dated 24.01.2002 P-5 proposing premature retirement:
- iii. Order dated 12.08.2002 whereby petitioner has been ordered to retire premature.

2. This Court issued notice of motion on 02.09.2002 and ordered to stay operation of impugned order (Annexure P-5). Order dated 02.09.2002 was modified by order dated 03.02.2006 whereby respondent was granted liberty to retire petitioner at the age of 55 years. Order dated 03.02.2006 reads as:-

“By this application, the respondents have sought a clarification of the order dated 2.9.2002 that they be given



CWP-12713-2002 (O&M)

-2-

liberty to proceed against the petitioner for the purpose of premature retirement on the basis of the service record and not as a matter of punishment as he is now 55 years of age. We accordingly clarify that the order dated 2.9.2002 will not stand in the way of any order, to be made (if at all) on the question of premature retirement. We, however, make it clear that in case the petitioner is retired pre-maturely, he would be entitled to seek his remedy in Court.

C.M.disposed off accordingly.”

3. Learned State counsel submits that officer concerned is unable to locate file of the petitioner.

4. From the perusal of order dated 03.02.2006, it appears that respondent decided to retire petitioner at the age of 55 years. A period of 19 years from said order has passed away. The petitioner if was not made to retire he must have completed age of 58 years and if was made to retire, he was supposed to challenge said order. In any eventuality, instant petition has rendered infructuous.

5. Disposed of as having been rendered infructuous with liberty to the petitioner to move an appropriate application within three months, if cause survives.

6. Pending application(s), if any stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

02.09.2025

Deepak DPA

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