



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

Date of Decision: 09.09.2025

1. CWP-21006-2008 (O&M)

Jagbir Singh

...Petitioner

Versus

State of Haryana and Others

...Respondents

2. CWP-15686-2010 (O&M)

Jagbir Singh

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Tapan Kumar Yadav, Advocate and
Mr. Sakeel Ahmad, Advocate
for the petitioner.

Mr. Suneel Ranga, 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-21006-2008**.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 29.11.2008 (Annexure P-5) whereby he was ordered to retire.

3. On 15.12.2008 while issuing notice of motion, a Division Bench of this Court stayed operation of impugned order dated

29.11.2008. Order dated 15.12.2008 reads as:

“Learned counsel for the petitioner has contended that the petitioner faced prosecution in FIR 230 and 452. Adverse remarks were entered in his ACR for April 1, 2000 to March 31, 2001 making reference to FIR 236. Similarly, reference was made in the remarks for April 1, 2001 to December 31, 2001 to FIR 236 and 452. The petitioner was compulsorily retired on June 19, 2007 but the said order was withdrawn. This stands recorded in judgment Annexure P-4 dated July 12, 2007. It has been now contended that the petitioner has been acquitted in FIR 452 on March 31, 2008. Therefore, the remarks require to be expunged and the order of the compulsory retirement requires to be reconsidered. Notice of motion for February 16, 2009. Meanwhile operation of Annexure P-S shall remain stayed.”

4. The petitioner on attaining the age of superannuation retired from service. He remained in service due to aforesaid interim order.
5. In the backdrop, this Court does not find it appropriate to return findings on merit. It would be in the interest of justice and fitness of things if interim order is made absolute. Accordingly, interim order dated 29.11.2008 is hereby made absolute.
6. **Disposed of.**
7. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

09.09.2025
Prince Chawla

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