



CWP-15917-2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

237

CWP-15917-2022

Date of Decision: 01.12.2025

Balbir Singh @ Balvir Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - None for the petitioner

Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 06.05.2022 whereby he was relieved from duty.

2. On 26.07.2022, this Court passed the following order: -

“Counsel appearing on behalf of the petitioner would contend that as per all documents furnished with the department, the petitioner is to retire on 01.05.2025, whereas vide impugned order Annexure P-2, he has been retired on 09.05.2022. The Pan Card and the Identity Card as issued by the department itself would reflect his date of birth as 02.05.1967.

Notice of motion.

At this stage, Mr. Pawan Sharda, Senior DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents and and seeks time to file reply.

Adjourned to 08.12.2022.



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At this stage, counsel for the petitioner would contend that the petitioner is entitled to the same benefit as has been allowed in the matter of CWP No.35230 of 2019 titled as Ravinder Kaur Versus State of Punjab and others, wherein in similar circumstances, the petitioner was allowed to rejoin services, vide order dated 05.12.2019.

A perusal of the pleadings before this Court would reveal that there are documents available with the respondent State that would reflect the date of birth of the petitioner as 02.05.1967, however, without taking those documents into account, the petitioner has been retired on 09.05.2022. The petitioner has seemingly been deprived of his livelihood on an erroneous understanding of the competent authority. The operation of the impugned order shall, therefore, remain suspended till the next date of hearing and the petitioner shall be allowed to re-join the service and to continue to serve till the next date of hearing.”

3. Learned State counsel submits that petitioner was allowed to continue in view of aforesaid interim order. He has retired on 01.05.2025 on attaining the age of superannuation, thus, petition has rendered infructuous.

4. In the wake of statement of learned State counsel, the petition stands dismissed as having been rendered infructuous.

5. The petitioner is at liberty to move an appropriate application within three months, if cause survives.

(JAGMOHAN BANSAL)
JUDGE

01.12.2025
Mohit Kumar

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