



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

**CWP No. 24019 of 2021 (O&M)
Date of Decision: 17.03.2025**

Sub Inspector Ashok Kumar

....Petitioner

vs.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

**Present: Mr. Sunil K. Nehra, Advocate
for the petitioner**

Ms. Rajni Gupta, Addl.A.G, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. On 26.11.2021, the following order was passed:-

“Learned counsel contends that the impugned order (Annexure P-6) dated 18.08.2021, passed under Rule 9.18 (1) (C) of the Punjab Police Rules 1934 that the petitioner would stand retired w.e.f. 30.11.2021 on account of his services not being required by the department beyond the age of 55 years is legally unsustainable in view of the decision in CWP No.8138 of 2012 which has attained finality upto Hon'ble the Supreme Court as per which the power to retire a Sub Inspector in public interest on his attaining the age of 55 years of service on completion of minimum of 25 years of service can be exercised by the Inspector General of



Police only with the prior approval of the State Government whereas in the instant case no such approval has been taken.

Notice of motion.

Notice : reg. stay.

Mr. Rajesh Gaur, learned Addl. AG, Haryana, accepts notice on behalf of the respondents and requests for a short adjournment to obtain instructions and file reply, if necessary.

List on 30.11.2021. To be shown in the list of urgent cases.”

- 2. By order dated 30.11.2021, the operation of impugned order was stayed. The petitioner has retired on 30.11.2021 on attaining the age of 58 years.
- 3. Ms. Rajni Gupta, Addl. A.G., Haryana does not dispute the afore-stated factual and legal position.
- 4. As the petitioner has attained the age of 58 years and retired, the interim order dated 30.11.2021 is hereby made absolute.
- 5. Petition stands disposed of.
- 6. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

17.03.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No