



CWP-20173-2025

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

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CWP-20173-2025
Date of decision: 10.11.2025

ROHTASH

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Sunil K. Nehra, Sr. Advocate with
Mr. Viren Nehra, Advocate
for the petitioner.

Mr. Ravi Pratap Singh, DAG, Haryana.

JAGMOHAN BANSAL, J. (ORAL)

1. On 21.07.2025, the following order was passed:

- "1. In compliance of order dated 18.07.2025, learned State counsel produced original file.
2. I have gone through the file. After careful perusal, the same is returned to learned State counsel.
3. In view of the fact that order of retirement at the age of 55 years was passed on 21.04.2025 whereas show cause notice proposing downgrading of Annual Confidential Report ('ACR') was issued on 22.04.2025 and order downgrading the ACR was passed on 09.06.2025, the matter regarding retirement needs to be considered.
4. Notice of motion returnable for 17.09.2025.
5. Ms. Rajni Gupta, Additional Advocate General, Haryana accepts notice on behalf of the respondent-State and seeks time to file reply and address the arguments.
6. In the meantime, operation of impugned order dated

21.04.2025 (Annexure P-8) shall remain stayed."

2. Mr. Sunil K. Nehra, Sr. Advocate does not dispute the fact that notice of motion was issued qua retirement at the age of 55 years. He submits that at this stage, he does not press his prayer qua downgrading of ACR and forfeiture of increments.

3. Learned counsel for the respondents expressed his inability to controvert that none of ACRs of last 10 years at the time of passing of order of retirement was incorporating doubtful integrity. The notice to downgrade ACR was issued after order of retirement. Order downgrading ACR was passed on 09.06.2025.

4. In view of the fact that petitioner at the time of passing impugned order was not having even single ACR with doubtful integrity and his more than 70% ACRs were good, thus, there was compliance of instructions issued by State Government, this Court finds it appropriate to set aside order dated 21.04.2025 (Annexure P-8). Accordingly, impugned order dated 21.04.2025 is hereby set aside.

5. ***Allowed*** in above terms.

(JAGMOHAN BANSAL)
JUDGE

10.11.2025
P.Bhatt

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