



CWP-2556-2026

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

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CWP-2556-2026

Date of Decision: 05.02.2026

ASI/ESI Dalbir Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Sandeep Kumar Goyat, Advocate for the petitioner

Mr. Ravi Partap Singh, Deputy Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of notice dated 27.10.2025 and order dated 14.11.2025 whereby he has been ordered to retire upon attaining the age of 55 years.

2. The petitioner joined Haryana Police force as Constable on 09.11.1991. He is currently holding post of Exemptee Sub-Inspector. He attained the age of 55 years on 06.01.2026. The respondent in exercise of power conferred by Rule 9.18(1)(c) of Punjab Police Rules, 1934 (as applicable to State of Haryana) has ordered to retire him w.e.f. 06.01.2026 upon attaining the age of 55 years.

3. Learned counsel for the petitioner submits that impugned order has been passed without assigning any reason. The petitioner has unblemished service record of 34 years. He has more than 70% good Annual Confidential Reports ('ACR') during last 10 years, thus, he has wrongfully been ordered to retire on attaining the age of 55 years. The respondent-State

has wrongly appreciated his service record.

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4. In view of directions of this Court, learned State counsel produced original file which after perusal was returned to him.

5. From the perusal of original record, it is evident that petitioner is having more than 70% good ACRs of last 10 years. His integrity was never doubted. He was awarded punishment on multiple occasions, however, most of the time punishment was of censure. As per government instructions dated 05.02.2019, an employee should not be retained beyond 55 years, if his integrity is found doubtful in previous 10 ACRs. In the case of petitioner, the Reporting Authority has never doubted his integrity. The petitioner is having more than 70% good ACRs and his integrity was never doubtful, thus, he could not be made to retire at the age of 55 years.

6. In the wake of above discussion and findings, this Court is of the considered opinion that present petition deserves to be allowed and accordingly allowed. Notice dated 27.10.2025 and order dated 14.11.2025 are hereby set aside.

7. It is made clear that this order would not debar the respondents to pass fresh order at a subsequent stage if conduct of the petitioner is found contrary to aforesaid Government instructions.

(JAGMOHAN BANSAL)
JUDGE

05.02.2026*Mohit Kumar*

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