



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

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CWP-6442-2026

Date of Decision: 05.03.2026

ANGREJ SINGH SI

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

Mr. Akshit Pathania, Assistant 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 order dated 30.12.2025 whereby he was served notice of compulsory retirement under Rule 9.18 (1) (c) of Punjab Police Rules, 1934 (as applicable to State of Haryana) (in short 'PPR').

2. The petitioner joined Haryana Police Force as Constable on 30.07.1992. He, from time to time, was promoted to higher ranks. He was implicated in FIR No. 17 dated 17.11.2022 under section 120-B of IPC read with section 13(2), 13(1)(b) and Section 7 of Prevention of Corruption Act, 1988 registered at Police Station State Vigilance Bureau Panchkula, District Panchkula. He at present is holding rank of Inspector. He is going to turn 55 years on 27.03.2026. The respondent by impugned notice has ordered to retire him at the age of 55 years. His integrity was

reported doubtful in ACR for the period from 22.05.2022 to 31.03.2023. The impugned order/notice has been passed under Rule 9.18(1)(c) of PPR.

3. Learned counsel for the petitioner submits that respondent was supposed to seek prior approval of the State Government. The impugned order could not be passed without prior approval of the State Government. The adverse entry qua integrity recorded for the period from 02.05.2022 to 31.03.2023 could not be relied upon because petitioner was having more than 70% good ACRs. The respondent could not rely upon one adverse ACR. The adverse entry recorded in ACR was based upon FIR dated 17.11.2022. The petitioner has been wrongly implicated in said FIR.

4. Learned State counsel produced original record which after perusal was returned.

5. Heard the arguments and perused the record.

6. The object of compulsorily retirement of a Government servant is to weed out the dead woods in order to maintain efficiency and initiative in the service as well as to dispense with services of those whose integrity is doubtful so as to preserve purity in the administration. The Supreme Court in ***“State of Gujarat Versus Umedbhai M. Patel”***, **2001 (3) SCC 314** has elaborated principles which ought to be followed in the matters relating to compulsory retirement. The relevant extracts of the judgment read as:

“11. The law relating to compulsory retirement has now crystallised into definite principles, which could be broadly summarised thus:

(i) Whenever the services of a public servant are no longer useful to the general administration, the officer can be compulsorily retired for the sake of public interest.

(ii) Ordinarily, the order of compulsory retirement is not to be treated as a punishment coming under Article 311 of the Constitution.

(iii) For better administration, it is necessary to chop off dead wood, but the order of compulsory retirement can be passed after having due regard to the entire service record of the officer.

(iv) Any adverse entries made in the confidential record shall be taken note of and be given due weightage in passing such order.

(v) Even uncommunicated entries in the confidential record can also be taken into consideration.

(vi) The order of compulsory retirement shall not be passed as a short cut to avoid departmental enquiry when such course is more desirable.

(vii) If the officer was given a promotion despite adverse entries made in the confidential record, that is a fact in favour of the officer.

(viii) Compulsory retirement shall not be imposed as a punitive measure.”

7. From the perusal of record, it is evident that integrity of the petitioner was doubted for the period from 22.05.2022 to 31.03.2023. He was implicated in an FIR under Prevention of Corruption Act. He is facing trial. He is claiming that as per instructions dated 05.02.2019, 70% good ACR(s) of last 10 years are required. The petitioner is relying upon Clause (c) of para 2(iii) of the instructions, however, ignoring Clause (d) of said para which clearly provides that if integrity of an

employee during last 10 years is doubted, he shall not be retained beyond 55 years.

He is claiming that prior approval of the State Government was required prior to passing impugned order. This Court in “*Naresh Kumar Vs. State of Haryana and Ors.*”, 2025 SCC OnLine P&H 2865 has already enunciated that permission of State Government is not required to exercise power under Rule 9.18 (1)(c) of PPR. Prior permission is required if power is exercised under Rule 9.18(2) of PPR. There is fundamental dichotomy between power exercised under afore-cited two provisions. Contention of petitioner that permission was not sought from State Government cannot be countenanced.

8. In the wake of above discussion and findings, this Court is of the considered opinion that the instant petition deserves to be dismissed and accordingly dismissed.

9. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

March 05, 2026
Deepak DPA

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