



CWP-5883-2024

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

201

CWP-5883-2024

Date of Decision: 29.01.2026

Mam Chand

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Sunil Kumar Nehra, Senior Advocate with
Mr. Viren Nehra, 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 orders whereby he has been ordered to retire upon attaining the age of 55 years.

2. The petitioner belongs to Haryana Police Force and at present is holding rank of Exemptee Assistant Sub-Inspector. 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 the petitioner w.e.f. 31.03.2024 upon attaining the age of 55 years. This Court vide order dated 18.03.2024 while issuing notice of motion stayed operation of impugned order dated 05.01.2024 till next date of hearing. The interim order was extended from time to time.

3. Learned Senior counsel for the petitioner submits that impugned order is stigmatic and in teeth of judgment of this Court passed in

Naresh Kumar v. State of Haryana and others, 2025 SCC OnLine P&H

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4. On being confronted with impugned order and afore-cited judgment, learned State counsel expressed his inability to controvert the fact that impugned order is stigmatic, however, submits that respondent may be granted liberty to pass a fresh order in accordance with law.

5. In the wake of judgment passed by this Court in *Naresh Kumar (supra)*, the impugned order deserves to be set at naught. Accordingly, the impugned order dated 05.01.2024 is hereby set aside with liberty to respondent to pass a fresh order in accordance with law.

6. The petition stands disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

29.01.2026*Mohit Kumar*

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