



CWP-12117-2025

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

240

CWP-12117-2025

Date of Decision: 24.02.2026

RAJINDER KUMAR

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Sunny Singla, Advocate for petitioner

Mr. Aman Dhir, D.A.G., Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of charge sheet dated NIL (Annexure P-1) whereby respondent has initiated departmental proceedings against him.

2. Learned counsel for the petitioner *inter alia* contends that petitioner retired on 30.04.2022 and respondent issued charge sheet in May' 2024 which was followed by communication dated 29.11.2024 whereby Inquiry Officer has been appointed. He has been issued charge sheet with respect to incident which took place during 2017-2018. As per Rule 2.2 (b) of Punjab Civil Services Rule (Volume-II), proceedings cannot be instituted against a retired officer with respect to event which took place more than 4



CWP-12117-2025

years before the institution of such proceedings. The petitioner is a retired officer and respondent has initiated proceedings with respect to an event which took place 4 years prior to issuance of charge sheet.

3. Learned State counsel expressed his inability to controvert applicability of judgment of this Court in **Inspector Surjit Singh V/s State of Punjab and others, LawFinder Doc Id # 2539875** (Annexure A-1) and **Paramjit Kaur V/s State of Punjab and others, LawFinder Doc Id # 2514546** (Annexure A-2) to the instant case.

4. This Court in **Inspector Surjit Singh (Supra)** and **Paramjit Kaur (Supra)** has set aside charge sheets on the ground of being issued after retirement with respect to an incident which occurred four years prior to the date of charge sheet. In the present case, the charge sheet was issued after retirement and with respect to an incident which occurred four years prior to the date of charge sheet.

5. In the wake of above cited judgments, the petition deserves to be allowed and accordingly allowed. The impugned charge sheet dated NIL (Annexure P-1) is hereby set aside.

6. Pending Misc. application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

24.02.2026
SDK

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