



CWP-8698-2001

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

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CWP-8698-2001

Date of Decision: 08.10.2025

R.C. Soni

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- None for the petitioner

Mr. Amit Sahni, Additional Advocate General, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed seeking a writ of *certiorari* quashing the order dated 09.04.2001, Annexure P-2, whereby the petitioner has been retired from service in public interest on attaining fifty-five years of age by giving three months' notice.

2. Learned State counsel contended that the petitioner's retirement was in terms of the relevant rules and instructions issued by the Government. He has referred to the following paragraphs of the written statement in that regard:

1. That the case of the petitioner to retain him in the Government Service beyond the age of 55 years was considered as per chief Secretary instructions issued vide letter No.32/98/83-4GSI dated 16.8.83 and No.12/167/86-4GSI dated 19.11.91 and the following criteria is to be adopted:-

- i) The physical and mental conditions should be sound and he should be fit to perform his duty satisfactorily.
- ii) At least 70% of the ACR of the last 10 years should be Good.



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- iii) Integrity should not be found doubtful and there should be no enquiry/complaint under rule 7 of punishment and appeal rules is pending against the official.

Further it is submitted that the physical and mental condition of official was good but the 2nd condition that 70% of the ACR of last 10 years is concerned only 6^{1/3} reports are good and 3^{1/3} average and 1/2 report have not been written. Thus the Petitioner did not fulfil the condition of 70% good record.

Accordingly as per provision contained in rule 5.32 A © of the Punjab Civil Services Rule Vol-II & Rule 3.26(d) of the Punjab Civil Services Rule Vol-I Part I, 3 months notice to retire the Petitioner from service at the age of 55 years was served vide office order no. 877/ Estt-II.

Dated 9.4.2001 (Copy Annexed as Annexure R-I)

3. The facts aforementioned have not been disputed by the petitioner by filing any counter affidavit.
4. As apparent on record, that retention of an employee in Government service beyond fifty-five years of age was dependent upon meeting conditions laid down in the criteria issued by Government vide instructions dated 19.11.1991. The petitioner undisputedly did not fulfil the second condition of having at least seventy per cent of good ACRs for the last ten years. Accordingly, no exception can be taken to the impugned order retiring him from service on attaining fifty-five years of age after due notice.
5. Petition stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

08.10.2025
Payal

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No