



CWP-983-2022 (O&M)

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

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CWP-983-2022 (O&M)

Date of Decision: 12.08.2025

Sandeep Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Rakesh Sobti, Advocate for the petitioner

Mr. Suneel Ranga, 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 order dated 29.05.2021 whereby Inspector General of Police ('IGP'), South Range, Rewari has rejected his representation against adverse remarks in Annual Confidential Report ('ACR').

2. By order dated 28.05.2021, the IGP, South Range, Rewari has rejected representation of the petitioner against adverse remarks recorded in the ACR for the period from 01.04.2019 to 17.02.2020. The rejection order has been passed on the sole ground of limitation. The respondent has recorded that representation was filed after 7 months whereas as per Government Instructions representation can be filed within 45 days from the date of receipt of letter communicating adverse remarks and authority dealing with representation may entertain within three months of expiry of said period if it is satisfied that officer has sufficient cause for not submitting



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the representation in time. The petitioner has filed representation beyond the prescribed period, thus, is barred by limitation.

3. Learned counsel for the petitioner submits that as per order dated 10.01.2022 of Hon'ble Supreme Court in ***Cognizance for Extension of Limitation, In re, (2022) 3 SCC 117***, the period from 15.03.2020 to 28.02.2022 has to be excluded for the purpose of limitation as may be specified in general or special laws in respect of all judicial or quasi-judicial proceedings. In the case in hand, impugned order was passed on 17.09.2020 and was received by the petitioner on 18.09.2022. The period from September' 2020 to 28.02.2022 was required to be excluded. If the said period is ignored, there is no delay.

4. Learned State counsel expressed his inability to controvert the applicability of order dated 10.01.2022 passed by Hon'ble Supreme Court to the facts of present case.

5. In view of order dated 10.01.2022 of Hon'ble Supreme Court, the impugned order dated 29.05.2021 is hereby set aside with a direction to Inspector General of Police, South Range, Rewari to pass a fresh order on merit in accordance with law within two months from today.

6. Disposed of in above terms.

7. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

12.08.2025

Mohit Kumar

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