



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

130

CWP-5229-2025

Date of Decision: 25.02.2025

ASI Anand Bakshi

.....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Kushagra Beniwal, Advocate,
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226 and 227 of the Constitution of India is seeking setting aside of notice dated 12.11.2024 (Annexure P-10) whereby petitioner has been ordered to retire on attaining the age of 55 years.

2. Mr. Beniwal submits that impugned order is stigmatic in nature and this Court vide judgment dated 13.02.2025 passed in ***CWP-2766-2025, Naresh Kumar vs. State of Haryana and others*** has held that Superintendent of Police is competent authority to pass order under Rule 9.18(1)(c) of Punjab Police Rules, 1934 (as applicable to the State of Haryana), however, order under said Rule cannot be stigmatic. The impugned order is apparently stigmatic, thus, cannot sustain in the eye of law.

3. Ms. Rajni Gupta, Addl. A.G., Haryana who on advance notice is present in Court, on being confronted with contents of impugned notice,



expressed her inability to controvert the fact that impugned order is stigmatic because respondent has noticed adverse remarks in Annual Confidential Report as well as pending FIR against the petitioner.

4. As the issue involved in instant petition is squarely covered by judgment in **Naresh Kumar (supra)**, the impugned notice dated 12.11.2024 (Annexure P-10) is hereby set aside with liberty to respondent to proceed in accordance with law, including fresh order.

5. Disposed of.

25.02.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
No