

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

CWP No.9010 of 1993
Date of Decision: 26.02.2010

Mohan Singh Patwari Petitioner

VS.

State of Punjab and another Respondents

CWP No.9007 of 1993
Date of Decision: 26.02.2010

Dewan Chand Patwari Petitioner

VS.

State of Punjab and another Respondents

CWP No.9008 of 1993
Date of Decision: 26.02.2010

Jeet Singh Patwari Petitioner

VS.

State of Punjab and another Respondents

CWP No.9009 of 1993
Date of Decision: 26.02.2010

Gurmail Singh Patwari Petitioner

VS.

State of Punjab and another Respondents

CORAM : HON'BLE MR.JUSTICE SURYA KANT

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: None for the petitioner

Ms. Charu Tuli, Sr. DAG, Punjab

SURYA KANT J. (ORAL)

- (1). This order shall dispose of CWP No.9007 to 9010 of 1993 as common questions of law and facts are involved in these cases. Suffice it to observe that the petitioners were serving as Patwaries in the Revenue Department, Government of Punjab and they are aggrieved at the orders of their premature retirement. For brevity, the facts are being extracted from CWP No.9010 of 1993.
- (2). The petitioner was appointed as Patwari on 17.07.1959. As per his pleaded case, though he possessed spotless service record (which is, however, disputed by the respondents), yet he has been prematurely retired from the services as a measure of punishment on the basis of unsubstantiated charges contained in the charge-sheet appended along with the writ petition as Annexure P10.
- (3). Aggrieved the petitioner has approached this Court.
- (4). While issuing notice of motion, this writ petition was directed to be listed along with **CWP No.8939 of 1993**. Interim directions were also issued in

the same terms. Vide an interim order dated 27.07.1993 passed in CWP No.8939 of 1993, the order of premature retirement of the petitioner was stayed as a result of which the petitioner continued in service.

(5). No one appears on behalf of the petitioner. It is apparent from the date of his appointment that the petitioner has already superannuated on attaining the age of 58 years long back. It is further evident from the show cause notice (Annexure P10) that the petitioner completed 50 years of age on 30th January, 1986. In this manner, the petitioner had completed the age of 58 years in the year 1994 and has thus, retired on superannuation, thereby, rendering the present writ petition as infructuous.

(6). Ordered accordingly. However, with a clarificatory direction that the retiral benefits, if already not determined, shall be granted to the petitioner on the basis of his entire length of service within a period of six months from the date of receipt of a certified copy of this order.

(7). **Dasti.**

**(SURYA KANT)
JUDGE**

26.02.2010

vishal shonkar

