
(2025) 12 P&H CK 0054

Punjab And Haryana HC

Case No: Civil Writ Petition No. 11391 Of 2020(O&M)

Ash Mohd

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision: Dec. 3, 2025

Acts Referred:

- Punjab Police Rules, 1934-Rule 16.28

Hon'ble Judges: Jagmohan Bansal, J

Bench: Single Bench

Advocate: Viren Nehra, Ravi Partap Singh

Final Decision: Disposed Of

Judgement

Jagmohan Bansal, J

1. On 07.08.2020, the following order was passed:-

“ All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks issuance of a writ in the nature of 'certiorari' quashing the impugned ACR for the period 17.09.2013 to 31.03.2014, dated 14.05.2014 (Annexure P-1A), the impugned disagreement note issued to the petitioner on 14.01.2015 (Annexure P-5), the impugned show cause notice issued to him on 14.01.2015 (Annexure P-6), the impugned order dated 15.04.2015 (Annexure P-8), the impugned order dated 17.04.2015 (Annexure P-9) and the order dated 22.10.2018 (Annexure P-10).

Learned counsel for the petitioner relies upon a judgement of a coordinate Bench passed in CWP No.9577 of 2015 (copy Annexure P-11), to submit that the suo motu power vested in the Inspector General of Police, as per Rule 16.28 of the Punjab Police Rules, 1934 (as applicable to the State of Haryana), can only be invoked to enhance the punishment already imposed by a subordinate authority, but cannot be invoked to impose a penalty when no penalty was imposed

by the competent officer subordinate to the IGP.

Notice of motion.

Mr.Gaurav Jindal, learned Addl. A.G., Haryana, accepts notice on behalf of State-respondents no.1 to 4, at the asking of the court.

He seeks time to try and distinguish the ratio of the aforesaid judgment.

On his request, adjourned to 07.10.2020.

In the meanwhile, in view of the judgment relied upon, operation of the impugned order shall remain stayed till the next date of hearing at this stage.

The respondent-State would file a detailed reply also, before that date.”

2. Learned counsel for the petitioner submits that petitioner has retired on 31.12.2023 on attaining the age of 58 years, thus, instant petition has rendered infructuous.
3. Learned State counsel does not dispute the afore-stated fact.
4. Disposed of as having been rendered infructuous.
5. Pending Misc. application(s), if any, shall stand disposed of.