

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2025
(@ SPECIAL LEAVE PETITION (CIVIL) NO.24294 OF 2025)

HARPREET SINGH,
DIRECTOR, THE HARYANA STATE CO-OPERATIVE APEX
BANK LTD. CHANDIGARH

APPELLANT(S)

VERSUS

OM PARKASH RANA & ORS.

RESPONDENT(S)

R1: OM PARKASH RANA

R2: THE STATE OF HARYANA

R3: THE MANAGING DIRECTOR

R4: THE REGISTRAR, COOPERATIVE SOCIETIES, HARYANA

R5: THE DEPUTY REGISTRAR, COOPERATIVE SOCIETIES

R6: THE KARNAL CENTRAL COOPERATIVE BANK LIMITED

O R D E R

Heard learned counsel for the parties.

2. Leave granted.

3. The present appeal has been filed against the interim order dated 23.05.2025 passed by the High Court of Punjab and Haryana at Chandigarh in CWP No. 14988 of 2025, whereby the appellant herein was directed to permit respondent no.1 to continue on his post in terms of the order passed in *Hardev Kaur Vs. State of Haryana and Ors.*¹.

4. The appellant is aggrieved by the said interim order, passed at the stage of admission of the Writ Petition, in which notice was

issued. However, at the same time, the High Court allowed the respondents to continue in service beyond the age of superannuation, as applicable to the post on which they were working.

5. Learned counsel for the appellant submits that the applicable service rules permit the individuals to continue in service only up to the age of 58 years. However, the respondent no.1 in Writ Petition i.e., CWP No.14988 of 2025, is claiming the benefit of continuation in service till the age of 60 years, which has not been formally allowed by the appellant. It was further submitted that similar writ petitions are pending before the High Court, and in the Writ Petition before the High Court, although notice was issued, but simultaneous grant of interim relief allowing respondent no.1 to continue beyond the age of 58 years is against public policy and also against the settled legal principles in such matters.

6. *Per contra*, learned counsel for the respondents submitted that the High Court relied upon the interim orders of the Co-ordinate Division Bench dated 27.02.2023, 31.05.2024 and 01.05.2024, passed in CWP No.2340/2023, CWP No.13734/2024 and CWP No.9857/2024 (O&M) respectively, wherein similarly situated persons were allowed to continue in service, till the disposal of their writ petitions.

7. Having considered the matter, we find substance in the submissions of the learned counsel for the appellant.

8. It is a well-settled principle of law, which we reiterate, that in cases where a person has attained the age of superannuation as prescribed under the applicable rules, no interim order should

be passed permitting continuation in service beyond that age. Such orders are not only contrary to public policy but also against the well-settled canons of law.

9. The reason is that if the respondent no.1 ultimately succeed in his writ petition, he would be entitled to all consequential monetary benefits for the period in dispute, even without having actually worked during that time.

10. However, in the contrary, if the writ petition fails, there cannot be any turning back of the clock for the period during which the respondent no.1 would have continued in service without legal sanction. Moreover, all decisions taken during that period may also become the subject matter of further dispute.

11. Thus, applying the settled principles under Civil Law governing the grant of injunction, the tests for the same are-*prima facie* case, balance of convenience and irreparable loss. In the present case, we find that there is no irreparable loss to the respondents, as they can be adequately and fully compensated by way of monetary benefits, if their writ petition ultimately succeeds. On the other hand, if the writ petition fails, there will be irreparable harm to the interest of the appellant.

12. For the reasons aforesaid, the appeal succeeds and is, accordingly, allowed. The interim order passed in the Writ Petition i.e., CWP No.14988/2025, permitting respondent no.1 to continue in service beyond the age of 58 years, stands set aside.

13. We hasten to add that we have not expressed any opinion on the merits of the matter, which is left to be decided by the High Court in accordance with law.

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

.....J.
(AHSANUDDIN AMANULLAH)

.....J.
(PRASHANT KUMAR MISHRA)

NEW DELHI
14th OCTOBER, 2025

ITEM NO.15

COURT NO.14

SECTION IV-D

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 24294/2025

[Arising out of impugned final judgment and order dated 23-05-2025 in CWP No. 14988/2025 passed by the High Court of Punjab & Haryana at Chandigarh]

HARPREET SINGH,
DIRECTOR, THE HARYANA STATE CO-OPERATIVE APEX
BANK LTD. CHANDIGARH

PETITIONER(S)

VERSUS

OM PARKASH RANA & ORS.

RESPONDENT(S)

IA No. 188254/2025 - AMENDMENT IN CAUSE TITLE; IA No. 172098/2025 -
CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS; IA No.
172093/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 172089/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 14-10-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Shish Pal Laler, Adv.
Mr. Hitesh Kumar, Adv.
Mr. Vedant Pradhan, AOR
Mr. Hardik Giri, Adv.
Mr. Pranav Singh Gautam, Adv.

For Respondent(s) Mr. Akshay Saxena, AOR
Mr. Anurag Soan, Adv.
Mr. Prakash Gautam, Adv.
Mr. Kuldeep Gupta, Adv.

Mr. Lokesh Sinhal, Sr. AAG
Mr. Akshay Amritanshu, AOR (Resp.No.2)
Ms. Aakanksha, Adv.
Ms. Kirti Panchal, Adv.
Ms. Ishika Gupta, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

2. The appeal is allowed in terms of the signed order.

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

(VARSHA MENDIRATTA)
COURT MASTER (SH)

(ANJALI PANWAR)
COURT MASTER (NSH)

(Signed order is placed on the file)