

**Court No. - 34**

**Case :-** WRIT - A No. - 19156 of 2023

**Petitioner :-** Satyveer Singh

**Respondent :-** State Of U.P. And 3 Others

**Counsel for Petitioner :-** Shiv Nath Singh

**Counsel for Respondent :-** C.S.C.

**Hon'ble Ajit Kumar,J.**

Heard learned counsel for the parties.

By means of present petition filed under Article 226 of the Constitution, the petitioner has questioned the notice dated 16th May, 2023 on the ground that no recovery could have been ordered for any excess payment of amount.

Learned Standing Counsel on the contrary submits only show cause notice has been issued to the petitioner, and therefore, petitioner has ample opportunity to contest the matter before the authority concerned.

On a pointed query being made, learned counsel for the petitioner admits that no final order has been passed in the matter till date.

In view of above, this petition is disposed of at this stage with direction that in the event petitioner prefers objection to the show cause notice dated 16th May, 2023 within two weeks from today, the same shall be considered and disposed of on its own merits within a further period of thirty days after giving full opportunity of hearing to the petitioner. Since petitioner was inspector, obviously he was in group-C post, the decision shall be taken into consideration in the case of **State of Punjab v. Rafiq Masih, 2015 (4) SCC 334** later on followed by **Thomas Daniel v. State of Kerala and Others, AIR 2022 SC 2153**

**Order Date :-** 17.11.2023

Sanjeev