

**HIGH COURT OF TRIPURA
AGARTALA**

W.P.(C) No.519 of 2024

Smt. Tulsi Rani Das,

aged about 58 years,

Wife of Late Narayan Das,

Presently posted as Helper Gr-II in the

office of the Deputy General Manager,

Electrical Division, Udaipur, Gomati Tripura,

Resident of village 1 No. Ward, Rajnagar,

P.O. Udaipur Court, P.S. R.K. Pur,

Sub-Division: Udaipur, District: Gomati Tripura,

PIN:799 116

-----Petitioner (s)

Versus

1. The State of Tripura ,

Represented by the Principal Secretary,

Department of Power, New Secretariat Complex,

Khejur Bagan, P.O. Secretariat S.O.,

P.S. New Capital Complex,

District: West Tripura, PIN: 799 010

2. The Secretary,

Department of Finance,

New Secretariat Complex, Khejur Bagan,

P.O. Secretariat S.O., P.S. New Capital Complex,

District: West Tripura, PIN: 799 010

3. The Tripura State Electricity Corporation Limited,

(A Government of Tripura Enterprise),

Represented by its Chairman having its office of the

Principal Secretary, Department of Power,

New Secretariat Complex, Khejur Bagan,

P.O. Secretariat S.O., P.S. New Capital Complex,

District: West Tripura, PIN:799 010

4. The Chairman,

Tripura State Electricity Corporation Limited,

(A Government of Tripura Enterprise)

Having its Office at the office of the Principal Secretary,

Department of Power, New Secretariat Complex,

Khejur Bagan, P.O. Secretariat S.O.,

P.S. New Capital Complex, District: West Tripura,

PIN:799 010

5. The Managing Director,

Tripura State Electricity Corporation Limited, Tripura,

Bidyut Bhavan, North Banamalipur, Agartala,

District: West Tripura, PIN:799 001

6. The Deputy General Manager,
Udaipur Electrical, Udaipur,
Gomati Tripura, PIN:799 116

---- Respondents (s)

For Petitioner(s)	:	Mr. H. Laskar, Adv.
For Respondent(s)	:	Mr. B. N. Majumder, Sr. Adv. Mr. K. Deb, Adv.
Date of Hearing	:	31.01.2025
Date of delivery of Judgment and Order	:	06.02.2025
Whether fit for Reporting	:	YES

HON'BLE MR. JUSTICE BISWAJIT PALIT

Judgment & Order

By means of filing this writ petition the petitioner has
prayed for the following reliefs:

- (a) Admit the Writ Petition;
- (b) Call for the records;
- (c) Issue Writ in the nature of Certiorari to show
cause upon the Respondents as to why the Office
Order vide O.O. NO.125 dated 03.06.2024
should not be declared as illegal, arbitrary and
non-est in the eye of law which has been issued
in contravention of the principle of the Judgment
and Order (Oral) dated 30.09.2021 passed in
W.P.(C) 792 of 2020 as well as in contravention
of the Memorandum No.F.3(50)-
TSECL/HRM/Court Case/2022/15882-97 dated
25.04.2022 passed by the TSECL, Agartala,
Tripura.

(d) Issue Writ in the nature of Certiorari to show cause upon the Respondents as to why the Memorandum No.F.3(50)-TSECL/HRM/Court Case/2022/50631-44 dated 07.12.2023 should not be declared as illegal, arbitrary and non-est in the eye of law which was issued in contravention of the principle of the Judgment and Order (Oral) dated 30.09.2021 passed in WP(C) 792 of 2020 as well as in contravention of the Memorandum No.F.3(50)-TSECL/HRM/Court Case/2022/15882-97 dated 25.04.2022 passed by the TSECL, Agartala, Tripura.

(e) Issue Writ in the nature of Mandamus directing the Respondents to declare the Memorandum No.F.3(50)-TSECL/HRM/Court Case/2022/50631-44 dated 07.12.2023 as illegal, arbitrary and non-est in the eye of law and to quash and cancel the Memorandum No.F.3(50)-TSECL/HRM/Court Case/2022/50631-44 dated 07.12.2023 which has been issued in contravention of the principle of the Judgment and Order (Oral) dated 30.09.2021 passed in WP(C)792 of 2020 as well as in contravention of the Memorandum No.F.3(50)-TSECL/HRM/Court Case/2022/15882-97 dated 25.04.2022 passed

by the TSECL, Agartala, Tripura by declaring it as illegal, arbitrary and non-est in the eye of law;

(f) Issue Writ in the nature of Mandamus directing the Respondents to regularize the service of the petitioner to the post of Helper Grade-II with effect from 01.12.2007 in pursuance of the Memorandum No.F.3(50)-TSECL/HRM/Court Case/2022/15882-97 dated 25.04.2022 passed by the TSECL, Agartala, Tripura in compliance of the Judgment and Order (Oral) dated 30.09.2021 passed by the Hon'ble High Court of Tripura in WP(C) 792 of 2020;

(g) Pass such further relief/ reliefs, direction/directions as the Hon'ble Court may deem fits and proper having regards to the circumstances of this case.

02. Heard Learned Counsel Mr. H. Laskar appearing for the petitioner and also heard Mr. B. N. Majumder, Learned Senior Counsel assisted by Mr. K. Deb, Learned counsel appearing for the respondents.

03. The gist of the petition filed by the petitioner in short is that the petitioner was engaged as a Contingent Worker on 02.01.1999 by the Power Department. The petitioner filed one writ petition bearing No.WP(C) No.792/2020 against the Government, with assertions that the Government had formulated a scheme vide memo dated

09.06.2019 for regularization of all DRWs/Casual/Contingent Workers working under the Power Department whose services have been transferred on deputation to the TSECL vide G.O. No.1 dated 28.12.2004. The State Electricity Corporation adopted the said scheme. One of the provisions of the scheme was that in case of DRW/Casual/Contingent workers who had not completed 10 years of service as on 31.03.2003 but otherwise deserves to be regularized, their cases would be considered upon completion of ten years of service. The petitioner completed 10 years of service as a Contingent Worker on 01.01.2009. As per memorandum dated 09.06.2009 (Clause-C) issued by the Finance Department, Government of Tripura it was observed that the workers belonging to ST and SC communities who had been engaged on or before 31.03.2005 and whose names were issued vide memo dated 14.03.2008 of the Finance Department would be eligible for regularization with effect from 01.12.2007. The petitioner was a member of the SC community and her name was included at serial No.152 in the list for SC and ST community (Annexure-3) published by the Finance Department declaring the names of the Contingent workers eligible for regularization. According to the list, the services of the petitioner ought to have been regularized with effect from 01.12.2007 since the petitioner was engaged as the Contingent Worker before 31.03.2003. The petitioner received offer of appointment on 10.09.2015 issued by the

GM(Finance) & Company Secretary, TSECL, Agartala, but the offer of appointment was kept in abeyance vide memo dated 18.09.2015. But later on, the same was again withdrawn vide order dated 07.08.2017. The writ petition filed by the petitioner was disposed of vide order dated 30.09.2021 with the following directions:

"9. Accordingly, the instant writ petition stands disposed with the following directions:-

(i) The corporation shall pass consequential order in terms of the statement made and recorded hereinabove within a period of two months from today.

(ii) Once this order is passed, the petitioner may make a representation to the concerned authority for correct seniority in the regular cadre. The concerned authority shall consider Page 6 of 6 the same and pass a speaking order within two months from the date of receipt of the representation.

(iii) If there any grievance still surviving it would be open for the petitioner to agitate the same in accordance with the law."

04. It was further submitted by the petitioner that on 25.10.2021 after obtaining certified copy of judgment passed in WP(C) No.792 of 2020 the petitioner submitted a prayer for regularization of her service w.e.f. 01.12.2007 along with a copy of this judgment passed by this court. In compliance of the judgment and order dated 30.09.2021 passed in the aforementioned case the authority of TSECL sanctioned the arrear pay and allowances with notional fixation w.e.f. 01.12.2007 and financial benefits vide memo dated 25.04.2022. Accordingly pay due drawn statement for the financial year 2022-23 and assessment year 2023-24 was prepared and arrear pay and allowances was disbursed to the petitioner (memorandum dated 25.04.2022 along with office order dated 20.06.2022 were annexed as Annexure-9 and 10). It was further submitted by the

petitioner that all on a sudden after about eight months the authority of the TSECL modifying the earlier memo dated 25.04.2022 and issued a fresh memorandum dated 07.12.2023 stating *inter alia* that:

"In compliance of the Judgment & Order of the Hon'ble High Court of Tripura against Case No.WP(C)792 of 2020 in favour of Smti. Tulshi Rani Das, Helper Gr-II, presently posted in the office of the Deputy General Manager, Electrical Division, Udaipur, Gomati, Tripura would be admissible similar benefit given to Smti Susmita Chakraborty, MRCBC as per verdict of the Case No. WP(C)704 of 2019 as the regulation of pay will be fixed notionally with effect from 01.07.2008 and financial benefit would be admissible with effect from 27.12.2010. Henceforth the earlier Memorandum of this office Memorandum vide No.F.3(50)-TSECL/HRM/Court Case/2022/15882- 97 dated 25.04.2022 is hereby modified."

05. After receipt of the copy of memo dated 07.12.2023 the petitioner submitted an objection against ex-parte modification of earlier memorandum dated 25.04.2022 without assigning any reason misinterpreting the judgment and order dated 30.09.2021 delivered by this High Court in WP(C)No.704 of 2019. But on 03.06.2024 without considering the representation of the petitioner and without giving any opportunity to the petitioner of being heard the authority of the TSECL directed the office to deduct the so-called excess payment in equal 12 nos. of installment vide office order dated 03.06.2024 and the first installment has already been deducted from the petitioner's salary bill of the month of June, 2023 payable in July 2023(Memorandum dated 07.12.2023, Office order dated 03.06.2024 and representation dated 24.01.2024 and 25.01.2024 are annexed with the petition as Annexure-11,12, 13 and 14).

06. The petitioner further asserted that one Shri Uttam Debnath, MRCBC preferred one Writ Petition being WP(C)692 of 2019 seeking his regularization w.e.f. 01.01.2007 in place of 01.01.2008 which was disposed of on 31.01.2020 by this High Court with the following direction in WP(C)704 of 2019 which runs as under:

“(i) The Corporation shall pass consequential order in terms of the statement made and recorded hereinabove within a period of two months from today.

(ii) Once this order is passed, the petitioner may make a representation to the concerned authority for correct seniority in the regular cadre. The concerned authority shall consider the same and pass a speaking order within two months from the date of receipt of the representation.

(iii) If there any grievance still surviving it would be open for the petitioner to agitate the same in accordance with the law.

Petition is disposed of accordingly.”

07. It was further submitted that in compliance of the said judgment and order dated 31.01.2020 passed by this High Court in WP(C)692 of 2019 TSECL has approved the service of Shri Uttam Debnath with effect from 01.01.2007 instead of 01.07.2008 with financial benefits as on 01.01.2007 and with admissible allowances vide memo dated 24.12.2020. Copy of the order of the High Court and the memo dated 24.12.2020 are annexed with the petition as Annexure-15 and 16. It was further submitted that the services of similarly situated persons have been regularized in pursuance of the order dated 21.01.2020 in the case of Smt. Susmita Chakraborty in WP(C)No.704 of 2019 with effect from 01.07.2008 and in case of Uttam Debnath in WP(C)692 of 2019 w.e.f. 01.01.2007 and several others

have been made regular, but the authority of TSECL after eight months modifying an ex-parte order the earlier memo dated 25.04.2022 issued a fresh memo dated 07.12.2023 as stated above. The petitioner further asserted that on 03.06.2024 without considering the representation of the petitioner and giving any opportunity, the authority of TSECL directed the office to deduct the so called excess payment in equal 12 nos. of installments vide Office Order No.125 dated 03.06.2024 which may cause serious deprivation of the petitioner due to the misinterpretation of the order dated 21.01.2020 passed in WP(C)704 of 2019 by the TSECL. The petitioner also submitted that the state-respondents willfully snatched away the financial benefits of the petitioner in contravention of the principle enunciated in order dated 21.01.2020 passed in WP(C)No.704 of 2019, WP(C) 692 of 2019, WP(C) 522 of 2019 and WP(C)792 of 2020. It was also submitted that if the petitioner's service is not regularized with effect from 01.12.2007 by the appointing authority of the TSECL in pursuance of the judgment and order dated 30.09.2021 passed in WP(C)792 of 2020 the petitioner shall suffer irreparable losses. Hence, the petitioner has filed this writ petition seeking the reliefs as stated above.

08. The respondents-authority contested the case by filing counter-affidavit. In para No.11 the respondents have asserted the following facts:

"11. That the first para of the assertion made in is true and hence admitted by the answering Respondents. Paragraph No.5. That the remaining Paragraph of the instant Writ Petition although admitted but the Petitioner herein has made the averment with twisted view only to support her case and thus the answering Respondents under reply humbly submits that out of oversight the pay of the Petitioner was notionally fixed from 01.12.2007 instead of notionally fixation from 01.07.2008 with financial benefit from 27.12.2010. It is humbly submitted by the answering Respondents that the Hon'ble High Court in the Judgment dated 30.09.2021, passed in connection with WP(C)792/2020 (Annexure-8/page 52 of the Writ Petition) referring the judgment of Susmita Chakraborty (Supra) clearly directed to follow the same direction. That following the said direction in case of Susmita Chakraborty (Supra), Sushmita Chakraborty has been provide with the regularization w.e.f. 01.07.2008 and pay has been fixed notionally from 01.07.2008 and financial benefit from 27.12.2010.

The copy of the office order of pay fixation of Sushmita Chakraborty vide dated 28.02.2020 is attached here to as Annexure-R/2.

That actually the pay of Sushmita Chakraborty was also notionally fixed from 01.07.2008 and financial benefit was provided from 27.12.2010 and similarly the representation of the Petitioner is squarely covered by the case of Sushmita Chakraborty supra as per the Judgment dated 30.09.2021 in connection with WP(C) 792/2020, and thus the notification dated 25/26.04.2022 (Annexure-9 of the Writ Petition) issued in favour of the Petitioner by the answering Respondent is a bona-fide mistake on the face of the record. More so the Petitioner humbly submits that as there was an error apparent on the face of the record in the Notification dated 25.04.2022 (Annexure-9 of the W.P) the answering Respondent made the necessary correction vide notification dated 07.12.2023 (Annexure-9 of the W.P) and thus the objection made the Petitioner was not considered being irreverent. The case of the Petitioner is squarely covered by the case of Sushmita Chakraborty and thus the decision of the answering Respondent is valid. It is also required to be submitted here that though initially it was directed to deduct the excess payment in 12 instalments but subsequently the arrear was directed to recovered by 24 instalments.

The copy of the revised office order of pay fixation of Sushmita Chakraborty vide dated 25.06.2024 is attached here to as Annexure-R/3."

The respondents also denied the other assertions made by the petitioner in the writ petition and prayed for dismissal of this writ petition.

Heard arguments of both the sides at length.

09. Taking part in the hearing Learned Counsel appearing for the petitioner Mr. H. Laskar submitted that in similarly situated cases this High Court passed a direction

and accordingly the same was complied with by the respondents, but in the case of present petitioner the respondents authority illegally without affording any opportunity to the petitioner most arbitrarily passed an order for deduction of the excess amount paid to the petitioner which is not permissible in the eye of law. Learned counsel appearing for the petitioner submitted that if at all any excess payment was made, in that case the present petitioner being a Group-D employee was not responsible for that rather it was the fault of the department who made the payment. So Learned counsel for the petitioner in summing up prayed for allowing this writ petition by setting aside the memo dated 07.12.2023 and 03.06.2024 issued by the authority.

10. On the other hand, Learned Senior Counsel Mr. B. N. Majumder appearing on behalf of the respondents submitted that the present petitioner has not come before the court with clean hands. It was further submitted that there was no willful latches or negligence on the part of the respondents-authority to deduct excess payment from the salary of the petitioner. Learned Senior Counsel further submitted that the case referred by the petitioner in WP(C)No.704 of 2019 dated 21.01.2020 and WP(C) No.692 of 2019 dated 31.01.2020 are not similar to the facts of the case of the present petitioner. However, Learned Senior Counsel further submitted that some error was committed by the authority regarding fixation of pay actually which

should be with effect from 01.07.2008 in place of 01.12.2007 and accordingly necessary modification order was issued by the authority in time and the department had no intention to cause any hardship to the petitioner and the respondents being the employer of the petitioner have got the liberty to recover the excess payment if paid. So in summing up Learned Senior Counsel prayed for dismissal of the writ petition.

11. I have heard detailed arguments of both the sides at length and also perused the relevant papers submitted by the parties. The petitioner filed her case on the basis of memorandum dated 25.04.2022 and 20.06.22 i.e Annexure-9 issued by the authority and submitted that the respondents-authority most arbitrarily without affording any opportunity to the petitioner has issued subsequent memos dated 07.12.2023 and 03.06.2024 i.e. Annexure- 11 and Annexure-12 of the writ petition without any basis violating the observations made by the High Court in the aforementioned cases for which both the memorandum and office order needs to be quashed. The respondents-authority in para-11 of the counter-affidavit specifically admitted that due to oversight the pay of the petitioner was notionally fixed from 01.12.2007 instead of notionally fixation from 01.07.2008 with financial benefits from 27.12.2010 and according to Learned Senior Counsel for the

respondents, the same was rightly modified by the respondent-authority.

12. So, after hearing arguments of both the sides and also after going through the connected documents annexed with the writ petition it appears that there was no latches or default on the part of the present petitioner to receive financial benefits from the respondents being a Group-D employee rather it was the fault of the department who made the payment and later on tried to recover it by issuing subsequent memorandums i.e. Annexure-11 and Annexure-12. Admittedly the petitioner was a Group-D employee. In this regard I would like to refer herein below the citation of the Hon'ble Apex Court in **State of Punjab and Others vs. Rafiq Masih (White Washer) and Others** reported in **(2015) 4 SCC 334** wherein in para No.16 and 17 Hon'ble the Apex Court observed as under:

"16.This Court in Syed Abdul Qadir v. State of Bihar: (2009) 3 SCC 475 held as follows:

"59. Undoubtedly, the excess amount that has been paid to the appellant teachers was not because of any misrepresentation or fraud on their part and the appellants also had no knowledge that the amount that was being paid to them was more than what they were entitled to. It would not be out of place to mention here that the Finance Department had, in its counter- affidavit, admitted that it was a bona fide mistake on their part. The excess payment made was the result of wrong interpretation of the Rule that was applicable to them, for which the appellants cannot be held responsible. Rather, the whole confusion was because of inaction, negligence and carelessness of the officials concerned of the Government of Bihar. Learned counsel appearing on behalf of the appellant teachers submitted that majority of the beneficiaries have either retired or are on the verge of it. Keeping in view the peculiar facts and circumstances of the case at hand and to avoid any hardship to the appellant teachers, we are of the view that no recovery of the amount that has been paid in excess to the appellant teachers should be made."

(emphasis supplied)

Premised on the legal proposition considered above, namely, whether on the touchstone of equity and arbitrariness, the extract of the judgment reproduced above, culls out yet another consideration, which would make the process of recovery iniquitous and arbitrary. It is apparent from the conclusions drawn in Syed Abdul Qadir's case (supra), that recovery of excess payments, made from employees who have retired from service, or are close to their retirement, would entail extremely harsh consequences outweighing the monetary gains by the employer. It cannot be forgotten, that a retired employee or an employee about to retire, is a class apart from those who have sufficient service to their credit, before their retirement. Needless to mention, that at retirement, an employee is past his youth, his needs are far in excess of what they were when he was younger. Despite that, his earnings have substantially dwindled (or would substantially be reduced on his retirement). Keeping the aforesaid circumstances in mind, we are satisfied that recovery would be iniquitous and arbitrary, if it is sought to be made after the date of retirement, or soon before retirement. A period within one year from the date of superannuation, in our considered view, should be accepted as the period during which the recovery should be treated as iniquitous. Therefore, it would be justified to treat an order of recovery, on account of wrongful payment made to an employee, as arbitrary, if the recovery is sought to be made after the employee's retirement, or within one year of the date of his retirement on superannuation.

17. Last of all, reference may be made to the decision in Sahib Ram Verma v. Union of India, (1995) Supp. 1 SCC 18, wherein it was concluded as under:

"4. Mr. Prem Malhotra, learned counsel for the appellant, contended that the previous scale of Rs 220-550 to which the appellant was entitled became Rs 700-1600 since the appellant had been granted that scale of pay in relaxation of the educational qualification. The High Court was, therefore, not right in dismissing the writ petition. We do not find any force in this contention. It is seen that the Government in consultation with the University Grants Commission had revised the pay scale of a Librarian working in the colleges to Rs 700-1600 but they insisted upon the minimum educational qualification of first or second class M.A., M.Sc., M.Com. plus a first or second class B.Lib. Science or a Diploma in Library Science. The relaxation given was only as regards obtaining first or second class in the prescribed educational qualification but not relaxation in the educational qualification itself.

5. Admittedly the appellant does not possess the required educational qualifications. Under the circumstances the appellant would not be entitled to the relaxation. The Principal erred in granting him the relaxation. Since the date of relaxation the appellant had been paid his salary on the revised scale. However, it is not on account of any misrepresentation made by the appellant that the benefit of the higher pay scale was given to him but by wrong construction made by the Principal for which the appellant cannot be held to be at fault. Under the circumstances the amount paid till date may not be recovered from the appellant. The principle of equal pay for equal work would not apply to the scales prescribed by the University Grants Commission. The appeal is allowed partly without any order as to costs."

(emphasis supplied)

It would be pertinent to mention, that Librarians were equated with Lecturers, for the grant of the pay scale of Rs.700-1600.

The above pay parity would extend to Librarians, subject to the condition that they possessed the prescribed minimum educational qualification (first or second class M.A., M.Sc., M.Com. plus a first or second class B.Lib. Science or a Diploma in Library Science, the degree of M.Lib. Science being a preferential qualification). For those Librarians appointed prior to 3.12.1972, the educational qualifications were relaxed. In Sahib Ram Verma's case: 1995 Supp (1)SCC 18, a mistake was committed by wrongly extending to the appellants the revised pay scale, by relaxing the prescribed educational qualifications, even though the concerned appellants were ineligible for the same. The appellants concerned were held not eligible for the higher scale, by applying the principle of "equal pay for equal work". This Court, in the above circumstances, did not allow the recovery of the excess payment. This was apparently done because this Court felt that the employees were entitled to wages, for the post against which they had discharged their duties. In the above view of the matter, we are of the opinion, that it would be iniquitous and arbitrary for an employer to require an employee to refund the wages of a higher post, against which he had wrongfully been permitted to work, though he should have rightfully been required to work against an inferior post."

I have also gone through the aforesaid paragraphs of the judgment of the Hon'ble Apex Court and after going through the relevant papers it appears to this court that the respondent-authority without any basis arbitrarily issued memorandum dated 07.12.2023 (Annexure-11) and officer order dated 03.06.2024 (Annexure-12). Further in the aforesaid judgment Hon'ble the Apex Court in para No.18 also observed as under:

"18. It is not possible to postulate all situations of hardship which would govern employees on the issue of recovery, where payments have mistakenly been made by the employer, in excess of their entitlement. Be that as it may, based on the decisions referred to hereinabove, we may, as a ready reference, summarise the following few situations, wherein recoveries by the employers, would be impermissible in law:

- (i) Recovery from employees belonging to Class-III and Class-IV service (or Group C and Group D service).**
- (ii) Recovery from the retired employees, or employees who are due to retire within one year, of the order of recovery.**
- (iii) Recovery from employees, when the excess payment has been made for a period in excess of five years, before the order of recovery is issued.**
- (iv) Recovery in cases where an employee has wrongfully been required to discharge duties of a higher post, and has been paid accordingly, even though he should have**

rightfully been required to work against an inferior post.

(v) In any other case, where the Court arrives at the conclusion, that recovery if made from the employee, would be iniquitous or harsh or arbitrary to such an extent, as would far outweigh the equitable balance of the employer's right to recover."

From the aforesaid paragraphs it appears that by the said judgment Hon'ble the Apex Court has given the guidelines where recoveries by the employers would be impermissible in law from the salary of the employees. Here in the case at hand it appears that the case of the petitioner falls under category of 18(i) of the aforesaid guidelines of the Hon'ble Apex Court. Situated thus, it appears to this court that the respondents have/had no legal scope/authority to issue Annexure-11 and Annexure-12 upon the petitioner for which both the aforesaid memos dated 07.12.2023 and 03.06.2024 are needs to be interfered with.

12. In the result, the writ petition filed by the petitioner is hereby allowed. The memorandum dated 07.12.2023 (Annexure-11) and the Office order dated 03.06.2024 (Annexure-12) issued by the respondent-authority are accordingly stands quashed and set aside. The respondents are hereby restrained from deducting any amount from the pay of the petitioner as per the said notification/office order and if any amount by this time is recovered from the pay of the petitioner that should be refunded by the respondents to the petitioner at an earliest.

With this observation and direction, this writ petition stands disposed of.

Pending application, if any, stands disposed of.

JUDGE



**MOUMITA
DATTA**

Moumita

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MOUMITA DATTA
Date: 2025.02.06
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