

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.10484 of 2014 (O&M)
Date of decision: 21.09.2015

Dara Ram

...Petitioner

Versus

UHBVN and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: Mr. Raman B. Garg, Advocate
for the petitioner.

Mr. P.S. Poonia, Advocate
for the respondents.

HARINDER SINGH SIDHU, J.

The petitioner was working as Lineman with respondent No.1 and superannuated on 31.03.2000. He has filed this petition being aggrieved of the orders dated 15.11.2013 and 03.12.2013 (Annexures P-2 and P-3), whereby the pension of the petitioner has been reduced from Rs.6225/- per month to Rs.5613/- per month and the amount of excess payment of the pension paid to the petitioner was required to be recovered.

Admittedly, the impugned the said orders have been passed without issuing any show cause notice to the petitioner.

While issuing notice of motion on 27.05.2014, recovery from the pension of the petitioner was directed to remain stayed.

Learned counsel for the respondents states that the respondents he may be given liberty to pass fresh order after issuing show cause notice to the petitioner.

In view of the aforesaid, the orders dated 15.11.2013 and 03.12.2013 (Annexures P-2 and P-3) are quashed. Liberty is given to the respondents to refix the pension of the petitioner after issuing show cause notice to him. As the orders (Annexure P-2 and P-3) have been quashed, any amount received by the respondents pursuant to Annexures P-2 and P-3 is liable to be returned to the petitioner.

The writ petition is disposed of accordingly.

(Harinder Singh Sidhu)
Judge

21.09.2015
Atul