

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 19365 of 2011

DATE OF DECISION : March 20, 2015

Raj Rani and ors.

..... PETITIONER(S)

VERSUS

State of Punjab and ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. G.S. Sandhu, Advocate, for the petitioners.
Ms. Monica Chhibber Sharma, Deputy Advocate
General, Punjab, for the respondents.

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1. Whether Reporters of local newspapers may be allowed to see the judgment? YES/NO

2. To be referred to the Reporter or not? YES/NO

3. Whether the judgment should be reported in the digest? YES/NO

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ARUN PALLI, J. (Oral)

Writ in the nature of certiorari is prayed for, to quash the orders vide which pay and allowances of the petitioners have been reduced and also the orders, vide which the excess amount paid to the petitioners was sought to be recovered.

Learned counsel for the petitioners submits that as the

orders being assailed in the instant petition were passed without issuing any notice or affording an opportunity of hearing to the petitioners, therefore, they are liable to be set aside on that score alone.

Learned State counsel very fairly concedes that since no such order could be passed without ensuring the compliance of the principle of natural justice, therefore, let the orders that have been assailed be set aside with liberty to the respondents to pass appropriate orders afresh. She further submits that the interim order dated 17.10.2011, passed by this Court, shall be observed till fresh orders are passed.

That being so, and without expressing any opinion on merits, orders dated 28.02.2011 (Annexures P-1 to P-3) and 09.09.2011 (Annexure P-4) are quashed, with liberty to the department to pass appropriate orders afresh, strictly in accordance with law, after affording due opportunity to the petitioners, within a period of one month from the receipt of certified copy of the order.

MARCH 20, 2015
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(ARUN PALLI)
JUDGE