

was drawing pension @ ₹ 11,054/-, which, as on 01.01.2006, was enhanced to ₹ 16,655/- and with effect from 01.01.2009, was further enhanced to ₹ 20,256/-. The enhancement in the amount of pension was on account of revision of pay scales. However, through the impugned order dated 14.09.2012 (Annexure P-2), the petitioner's pension was ordered to be reduced to ₹ 17,035/- and that too, with effect from 01.09.2009. It is this action of the respondents, which is under challenge before this Court through the present petition.

It is the uncontroverted position that before the impugned reduction in the amount of pension being already paid to the petitioner, no notice or opportunity of hearing was granted to him. It is further admitted by the respondents that before ordering reduction in pension of the petitioner, no speaking order was passed.

Reduction of pension certainly involves adverse civil consequences and thus, before ordering any reduction in pension, the petitioner was required to be issued notice and granted opportunity of hearing. The respondents were also required to pass a reasoned and speaking order.

In view of the above, the impugned order dated 14.09.2012 (Annexure P-2) is quashed, as a consequence thereof, recovery, if any made from the petitioner, is ordered to be refunded to the petitioner along with simple interest @ 9% per annum. The needful be done within three months from the date of receipt of a certified copy of this order. However,

respondents are granted liberty to proceed against the petitioner in accordance with law.

The writ petition stands disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

December 05, 2015
monika