

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-235-2015 (O&M)
Date of decision : 26.05.2015

Baldev Singh

...Petitioner

V/S

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Amandeep Saini, Advocate for the petitioner

Mr. Mehardeep Singh, DAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

This Civil Writ Petition has been filed, under Articles 226/227 of the Constitution of India, for quashing the impugned order dated 26.11.2012 (Annexure P-1) passed by respondent No.2 wherein the recovery of Rs.1,37,260/- has been got deposited from the petitioner.

At the very outset, the learned counsel for the petitioner states that the case of the petitioner is squarely covered by judgment of Hon'ble Supreme Court of India titled as **State of Punjab and others Vs. Rafiq Masih (White Washer) etc., 2015(1) Recent Apex Judgments 104**, passed in Civil Appeal No.11527 of 2014, decided on 18.12.2014.

The learned State counsel is unable to controvert the factual

aspect of the matter.

Keeping in view the prayer made in the petition, the present petition is allowed with a direction to the competent authority, to consider and decide the case of the petitioner, in terms of Rafiq Masih case's (supra), by passing a speaking order, within a period of four months from the date of receipt of a certified copy of this order.

26.05.2015

ashok

(JITENDRA CHAUHAN)
JUDGE