

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

CWP No. 9256 of 2012 (O&M)

Date of decision: 19.05.2015

Roshan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Bhavyadeep Walia, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Ashok Gupta, Advocate for respondent No.5.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, under Articles 226/227 of the Constitution of India, the petitioner has assailed the show cause notice, whereby the recovery of Rs. 7500/- per month from his pension has been sought to be recovered on account of revised pension.

The learned counsel for the petitioner contends that the case of the petitioner is squarely covered by the ratio of law laid down by the Hon'ble Apex Court in case **State of Punjab and others** Vs. **Rafiq Masih**, 2015(1) SCT 195.

In the circumstances, the present petition is disposed of with a direction to the competent authority to examine the case of the petitioner in the light of **Rafiq Masih's** case (supra). The necessary exercise be completed within four months from the date of receipt of a certified copy of this order.

In case, the petitioner is not found to be entitled for the relief sought in terms of Rafiq Masih's case, the petitioner is at liberty to revive the present petition.

19.05.2015

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(JITENDRA CHAUHAN)
JUDGE