

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

CWP No. 7830 of 2015
Date of decision: 17.09.2015

Ved Parkash

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Pritam Saini, Advocate,
for the petitioner.

Mr. Rakesh Verma, Sr. DAG, Punjab.

G.S.SANDHAWALIA, J. (Oral)

Challenge in the present writ petition is to the order dated 01.04.2015 (Annexure P-4) whereby, the petitioner's promotion as Technician Grade-III and the benefit of 4 years' higher placement was cancelled. He was thereafter adjusted against the four year higher placement without financial benefits and granted the benefit of 16 years step up in the scale of ₹5910-20200+1950.

Notice of motion was issued and the case was ordered to be heard alongwith ***CWP No. 6882 of 2015, Mohan Dass vs. State of Punjab and others.***

The said case has been disposed of today by holding that there was no fault of the employee whereby, he had drawn a higher pay and on account of the judgment of the Apex Court in ***State of Punjab and others vs. Rafiq Masih (White Washer) and others, 2015 (1) RSJ 177***, the recovery could not be effected.

In the present case also, though there is no specific order of

recovery, counsel for the petitioner submits that he would be satisfied if the State takes into consideration the order passed in *Mohan Dass's case (supra)* while finally giving effect to the impugned order.

Resultantly, the present writ petition is also disposed with a direction to respondent no. 2 to take into account the observations made in ***CWP No. 6882 of 2015, Mohan Dass vs. State of Punjab and others*** while giving effect to the order under challenge.

17.09.2015
shivani

(G.S. SANDHAWALIA)
JUDGE