

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

CWP No. 9106 of 2015 (O&M)

Date of decision: 08.05.2015

Kamaljit Kaur

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Mannipur, Advocate for the petitioner.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, under Article 226 of the Constitution of India, the petitioner seeks quashing of letter dated 10.03.2015 (Annexure P3), issued by respondent No.4 to respondent No.4 for recovery of amount of Rs. 65,663/- which was paid to her admittedly from 01.01.2006 till 30.11.2008.

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

In the circumstances, without adverting to the merits of the case, the present petition is disposed of with a direction to the respondents, to examine the case of the petitioner in terms of **Rafiq Masih's** case (supra), by passing a speaking order, within a period of four months from the date of receipt of a certified copy of this order. In case the petitioner is found to be entitled to the relief sought, the consequential benefits shall be released within one month thereafter.

Till the finalization of the claim of the petitioner by the competent authority, the operation of impugned order/letter dated 10.03.2015 (Annexure P-3) shall remain stayed.

08.05.2015

sumit.k

**(JITENDRA CHAUHAN)
JUDGE**