

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

**Civil Writ Petition No.265 of 1993 (O&M)
Date of decision: 22.1.2016**

Vanita Anand

... Petitioner

Versus

The Punjab Small Industries & Export Corporation Limited

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Neeti Banyal, Advocate, for
Ms.Alka Chatrath, Advocate,
for the petitioner.

Mr.I.S.Sidhu, Advocate,
for the respondents.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

Heard the learned counsel for the parties.

This matter is covered by the decision of this Court involving the same respondent in CWP No.16529 of 1992 decided by the learned Single Judge of this Court on 13.1.2016 in **Shashi Bala v. Punjab Small Industries & Export Corp. Limited**. In turn, the judgment is based on the law in **State of Punjab v. Rafiq Masih and others**; (2014) 8 SCC 883. The matter is no longer *res integra*. No recovery can be made and consequently the recovery order is quashed. The writ petition is allowed and the impugned order is quashed. The recovery made, if any, will be reimbursed to the petitioner within two months from the date of receipt of a copy of this order. In case, any dispute remains as to the amount of recovery or any shortfall, the petitioner would be at liberty to move an application in this case for curative orders, if required.

**(RAJIV NARAIN RAINA)
JUDGE**

January 22, 2016

Paritosh Kumar