

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4668-2016 (O&M)
Date of decision: 20.12.2016

Pritam Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Ms.Natasha Munjal, Advocate for
MR.M.K.Dogra, Advocate for the petitioner
Ms.Vandana Malhotra, Additional A.G. Punjab

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Written statement already filed. Prayer in this writ petition is for quashing the impugned order dated 31.10.2012 (Annexure P3) whereby on account of withdrawal of the pay scale of Rs.1200-2100, a recovery of Rs.2,38,479/- was ordered to be effected from the retiral dues of the petitioner. Written statement of respondent nos.1 to 3 shows that the matter has been reconsidered in the light of the decision of the Hon'ble Supreme Court in the case of State of Punjab vs. Rafiq Masih, (2015) 4 SCC 334 and it has been decided to refund Rs.2,38,479/- to the petitioner. A copy of the order dated 31.5.2016 is attached as Annexure R3/1.

In view of the matter and in view of the written statement of respondent nos.1 to 3, respondent nos.1 to 3 are directed to refund the said amount along with interest as per government instructions.

Learned State counsel on instructions from Rajinder Singh,

SDO has informed that the necessary instructions have been issued to the Treasury and matter is lying with the Treasury. In these circumstances, the State is directed to take up the matter with the Treasury for the refund of the amount and release the same within four weeks.

Petition is accordingly disposed of.

20.12.2016

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No