

Date of Decision: - 26.4.2016

versus

State of Punjab and ors**Respondents**

Present: - Mr. D.S. Patwalia, Sr. Advocate with
Mr. Sehaj Bir Singh, Advocate
for the appellants.

Ms. Munisha Gandhi, Addl. AG, Punjab
with Ms. Harleen Kaur, AAG, Punjab

Mr. Nitin Kumar, Advocate
for respondents No. 2 to 13.

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Rajesh Bindal, J.

Aggrieved against the judgment of learned Single Judge dated 31.10.2013 setting aside the recovery of the amount allegedly excess paid by the appellants to the employees who retired from service, present appeal has been filed.

Learned Single Judge directed that the amount already recovered be paid to the employees along with interest. It is not in dispute that the amount has already been paid to the employees. The amount of interest as stated by learned counsel for the respondents-employees is quite meager.

Considering the fact that the amount was initially paid to all the respondents-employees some of whom had already retired from the service, learned Single Judge while

placing reliance upon the judgment of Hon'ble the Supreme Court in *Chandi Prasad Uniyal and others vs. State of Uttarakhand and others (2012) 8 Supreme Court Cases 417* and in *State of Punjab and others vs. Rafiq Masih (White Washer) 2015 (1) RSJ 177*, allowed the writ petition.

Considering the aforesaid referred enunciation of law, no fault can be found with the order passed by the learned Single Judge setting aside recovery of the amount already paid by the appellants to respondents-employees.

Accordingly, the appeal is dismissed.

(RAJESH BINDAL)
JUDGE

26.4.2016
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(HARINDER SINGH SIDHU)
JUDGE