

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.1588 of 2016 (O&M)

Date of Decision: September 19, 2016

Mahender Singh

.....Appellant

versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Jagbir Malik, Advocate, for the appellant.

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1. Whether Reporters of Local papers 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?

Surya Kant, J. (Oral)

This letters patent appeal challenges the order dated 08.07.2015 whereby learned Single Judge dismissed the appellant's writ petition in which he questioned the adjustment of breakage/shortage of the material like transformer/transformer oil etc. from his retiral dues.

The appellant joined the respondent-Organization as a Line Superintendent and was promoted as Junior Engineer Grade-1 and then as Assistant Engineer. At the time of retirement, the authorities issued him recovery/adjustment order in respect of various shortages detected in the store of which the appellant remained incharge. Initially, the outstanding dues were assessed at Rs.8,98,168.21 but on re-consideration, the amount was reduced to Rs.5,60,000/-. The appellant then represented the authorities and the due amount was progressively reduced to Rs.83,961.37 only. Still

aggrieved, the appellant approached this Court but the learned Single Judge has declined to interfere with the recovery order.

We have considered the submissions made by learned counsel for the appellant who despite his best efforts is unable to point out any glaring infirmity the process of assignment of loss caused due to shortage etc.

At best, after adjusting the recoverable amount, there should not be any legal impediment against the release of rest of the retiral benefits of the appellant and if it has not been done so far, he may approach the Competent Authority. As regard to his right to challenge the recovery orders, the appellant may apply for the copy thereof which shall be made available to him to enable him to approach the appropriate forum.

With these observations, the appeal stands disposed of.

[SURYA KANT]
JUDGE

September 19, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No