

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

**103**

**CWP-18542-2005 (O&M)  
Date of decision:16.05.2017**

Smt. Sudesh Kumari

....Petitioner

Versus

State of Haryana and others

.... Respondents

**CORAM: Hon'ble Mr. Justice P.B. Bajanthri**

Present: Mr. Barjesh Mittal, Advocate for the petitioner.

Mr. Sushil Gautam, DAG, Haryana.

**P.B. Bajanthri, J. (Oral)**

**CM No.2039 of 2017**

CM for early hearing is allowed in view of the reasons mentioned in the application and affidavit. With the consent of both the parties, main matter is heard today itself.

Main case.

Petitioner has questioned the validity of the order dated 13.06.2005 (Annexure P19) by which the petitioner's pay has been refixed and further ordered for recovery w.e.f. 04.09.2003. Perusal of the order dated 13.06.2005 it is evident that petitioner has not been heard in the matter before refixation of pay and recovery. Therefore, order dated 13.06.2005 has been treated as notice to the petitioner. Petitioner is hereby directed to file his explanation to the notice dated 13.06.2005 (Annexure P19) within a period of 8 weeks from today. Thereafter, the concerned respondent-District Primary Education Officer, Fatehabad is hereby directed

to consider each of the contentions raised by the petitioner in his explanation to the show cause notice dated 13.06.2005 and pass appropriate order within a period of 4 months.

With the above observation, CWP stands disposed of.

16.05.2017  
pooja saini

(P.B. BAJANTHRI)  
JUDGE

|                          |        |
|--------------------------|--------|
| Whether speaking/reasons | Yes/No |
| Whether Reportable:      | Yes/No |