

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

CWP-12260-2016

Date of decision: 06.04.2017

Sohan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Suneet Singh Deol, Advocate, for
Mr. Vikram Singh, Advocate,
for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

The instant writ petition has been filed seeking to challenge the impugned order dated 20.05.2016 (Annexure P-5) by which the respondent-State had ordered recovery of an amount of ₹ 1,22,418/- from the petitioner in the form of four installments of ₹ 30,605/- each.

Reply has been filed, in which a stand is taken that the impugned order dated 20.05.2016 already stands recalled by a revised order dated 18.10.2016 which is annexed as Annexure R-1 with the reply. Furthermore, in the said reply, it is submitted that refund voucher for an amount of ₹ 30,605/- has already been prepared and sent to the Treasury. This was the amount of the first installment that had been recovered pursuant to the impugned order having been passed.

Learned counsel appearing on behalf of the petitioner submits that the said amount has not been credited into the account of the petitioner

so far.

I have heard learned counsel for the parties and in view of the fact that the impugned order dated 20.05.2016 already stands recalled and the department has already initiated the process of refunding the first installment that had been recovered pursuant to the impugned order having been passed, this Court is not inclined to interfere in this matter. However, this writ petition is disposed of by giving direction to the respondent-department that the amount of ₹ 30,605/- which has been recovered as first installment should be reflected in the account of the petitioner, positively, within a period of two months from the date of receipt of certified copy of this order, failing which the amount will carry interest @ 6% per annum till the amount finally credited into the account of the petitioner.

06.04.2017

Satyawar

**(JAISHREE THAKUR)
JUDGE**Whether speaking/reasoned
Whether reportableYes.
No.