

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

CWP No. 11669 of 2017

Date of decision: 25.05.2017

Vasdev Singh

...Petitioner

Versus

The Pepsu Road Transport Corporation and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Balwinder Singh Sehra, Advocate,
for the petitioner.

JAISHREE THAKUR, J. (ORAL)

It is contended that a sum of ₹ 2,17,152/- has been deducted from the retiral benefits of the petitioner. It is contended that the said recovery is unwarranted in the light of the judgment rendered by Hon'ble Supreme Court in *State of Punjab and others vs. Rafiq Masih (white washer) and others, (2015) 4 SCC 334*. The amount paid to the petitioner was on account of annual increments. In this regard, the petitioner has already approached the department by way of a legal notice dated 27.01.2017 (Annexure P-2). At the present moment, learned counsel appearing on behalf of the petitioner submits that he would be satisfied in case the legal notice dated 27.01.2017 (Annexure P-2) served by the petitioner upon the respondents is decided in view of the policy dated 28.08.2015 as issued by the Department of Finance.

I have heard learned counsel for the petitioner and without going into the merits of the case, this petition is disposed of with a direction

to the respondents to decide the legal notice dated 27.01.2017 (Annexure P-2) served by the petitioner upon the respondents by passing a speaking order in accordance with law within a period of three months from the date of receipt of certified copy of this order.

In case, the respondent-department found that there is a merit in the claim of the petitioner, the amount so deducted be refunded to the petitioner within a period of four weeks thereafter along with interest @ 6% per annum from the date of recovery till the date of actual disbursement.

Petition stands disposed of.

25.05.2017

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.