

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 18643 of 2015 (O&M)

Date of Decision: May 16, 2017

Bir Bhan

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Vivek Sharma, Advocate,
for the petitioner.

Mr. R.K. Doon, AAG, Haryana.

P.B. Bajanthri, J. (Oral)

1. In the instant writ petition, petitioner has questioned validity of order dated 06.07.2015 (Annexure P/5) by which certain discrepancies in granting 3rd ACP has been rectified and further order for deposit (recovery) to the extent of Rs. 24,786/-.

2. Undisputedly, petitioner has not been heard before effecting such deposit or recovery. Therefore, order dated 06.07.2015 (Annexure P/5) is set aside. Matter is remanded to the respondents to take further action by issuing show cause notice to the petitioner. In the show cause notice, the concerned respondent has to furnish details of recovery with reasons and supported by documents, if any. After receipt of show cause notice by the petitioner, he has to submit explanation to the same. Thereafter the concerned respondent is hereby directed to pass a fresh order. The above exercise shall be completed within a period of four months from today.

3. Accordingly, instant writ petition stands allowed.

May 16, 2017

vkd

[P.B. Bajanthri]

Judge

Whether speaking / reasoned : Yes

Whether reportable : No