

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

Sr. No.209

**Civil Writ Petition No.25089 of 2013
DECIDED ON: September 15, 2017**

GIAN CHAND

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Kuldeep Singh Saini, Advocate,
for the petitioner.

Mr. Manoj Bajaj, Addl. A.G., Punjab.

Mr. Manish Joshi, Advocate,
for respondents No.2 to 4.

Mr. Rajesh Hooda, Advocate,
for respondent No.5.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of certiorari to quash the notices issued by the respondents dated April 01, 2013 (P-2) to deposit an amount of Rs.36705/- and dated

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April 26, 2013 (P-4) to deposit the arrear of amount Rs.78,837/- which have been issued after the retirement of the petitioner from service i.e. August 27, 2008 as well as further directing the respondents to release the arrears of an amount of Rs.28,170/- and release the monthly pension of petitioner which had been withheld due to alleged recovery of above mentioned notices.

2. In response to notice dated April 01, 2013 (P-2) with regard to recovery of a sum of Rs.36705/- as well as another notice dated April 26, 2013 (P-4) with regard to arrear of amount of Rs.78,837/- pertaining to the different periods, respective replies dated March 06, 2013 and dated May 07, 2013 have been filed by the petitioner. Copies of which are available on record as Annexure P-3 and Annexure P-5 respectively. Subsequent thereto, though a fresh demand was again raised by the respondents vide letter/notice dated May 23, 2013 (P-6). But to the utter surprise, no specific order has been passed which depicts the consideration of both replies filed by the petitioner to the aforesaid notices. Even a legal notice dated May 25, 2013 (P-7) was also served upon respondents No.3 and 4 in respect of the controversies, which is subject matter of the instant petition, but neither any response has been given by the concerned authorities nor any conscious decision has been taken thereof.

3. In view of the aforesaid aspects of the case, this court consider it proper and expedient to direct the respondent No.3-Divisional Engineer, Punjab State Tube-well, Division Ropar, District Roop Nagar to look into the grievances unfolded by the petitioner in his replies dated March 06, 2013 (P-3) and dated May 07, 2013 (P-5) as well as legal notice dated May 25, 2013 (P-7) to take a conscious decision by passing a speaking order that too, after giving a patience hearing to the petitioner within a period of two

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months from the date of receipt of a certified copy of this order.

4. However, if petitioner still feels aggrieved by any order of the
afore-said authority, he shall be at liberty to approach this Court.

September 15, 2017

Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No