

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

207

**CWP-8669-2014 (O&M)
Date of decision:08.12.2017**

Sarson Devi

....Petitioner

Versus

UCO Bank and others

.... Respondents

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

Present: Mr. Manu K.Bhandari, Advocate for the petitioner.

Mr. Sahil Abhi, Advocate for the respondents.

P.B. Bajanthri, J. (Oral)

In the instant writ petition, petitioner has challenged the validity of orders dated 16.03.2013 and 24.09.2013 (Annexure P4 and P6) by which respondents are resorting to recover excess payment made to the petitioner. Undisputedly, petitioner is a Sweeper and is in Group D (Class IV) employee. In view of the Supreme Court decision in the case of *State of Punjab and others veruss Rafiq Masih (White Washer) etc.* reported in 2015(1) JLJR 323 respondents action is illegal and arbitrary. Accordingly, orders dated 16.03.2013 and 24.09.2013 (Annexure P4 and P6) are set aside.

CWP stands allowed.

If the respondent-Bank has affected any recovery from the petitioner in that event, concerned respondent is directed to refund the same within a period of 3 months from today.

**(P.B.BAJANTHRI)
JUDGE**

08.12.2017

pooja saini

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No