

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

CWP No.29526 of 2017

Date of decision: 21.12.2017

Dr. Manish Sharma

... Petitioner

versus

State of Haryana and ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

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

Amol Rattan Singh, J(Oral)

Learned counsel for the petitioner submits that the impugned communications by which recoveries have been ordered from the petitioner in this petition, have been so ordered without even a show cause notice having been issued to him.

That being so, accepting that contention as it is, while staying recovery from the petitioner, this petition is disposed of with a direction to the competent authority amongst the respondents that even if any recovery is to be made from the petitioner, it shall only be done after giving him a show cause notice, with due process followed thereafter, including a personal hearing.

If eventually, any order is to be passed against the petitioner with recovery still found to be due, such recovery shall not actually be made for one week after the order is passed.

However, it is made clear that if a show cause notice was served upon the petitioner and due procedure was followed as regards the recovery, the respondents would be at liberty to file an application in this petition, seeking modification of this order.

21.12.2017

sonia

(Amol Rattan Singh)

Judge

Whether speaking/non-speaking?

Yes

Whether reportable?

No