

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

CWP No.4903 of 2017 (O&M)

Date of decision : March 09, 2017

Joginder Singh Khaira

..... Petitioner

Versus

Punjab State Power Corporation Ltd. and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Sonia G. Singh, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Learned counsel for the petitioner contends that the petitioner retired from service on 28.02.2005. Now, the order of recovery dated 30.12.2016 (Annexure P-7) has been passed for recovery of Rs.6,783/- without hearing the petitioner.

A perusal of the impugned order shows that the same has been passed on the basis of pre-audit report sent by the Senior Executive Engineer/Operation Division, Nabha, vide letter dated 13.12.2016. Before the passing of the impugned order, the petitioner was not heard. The same has been passed after more than 11 years of the retirement of the petitioner.

In these circumstances, without issuing notice, the impugned order dated 30.12.2016 (Annexure P-7) is set aside and the respondents are directed to pass a fresh order after giving the opportunity of hearing to the petitioner.

As such the present petition is allowed.

**(KULDIP SINGH)
JUDGE**

March 09, 2017

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Whether speaking / reasoned

Yes

Whether Reportable:

No