

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 8331 of 2017 (O&M)

Date of decision: 24.04.2017

Jagdish Kumar Chhabra and another

... Petitioners

versus

State of Haryana and others

.... Respondents

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

Present: Mr. B.S. Mittal, Advocate for the petitioner.

P. B. BAJANTHRI, J. (ORAL)

Notice of motion.

Mr. Keshav Gutpa, AAG Haryana accepts notice on behalf of the State.

The civil writ petition has been filed under Article 226 of the Constitution of India seeking quashing of orders dated 16.03.2017 (Annexure-P2) passed by respondent No.5 vide which notice of recovery was given and 3rd ACP already granted to the petitioners is withdrawn and pay of the petitioners is ordered to be refixed without any show cause notice and order dated 27.03.2017 vide which notices of recovery have been issued.

From the perusal of Annexure-P2, it is evident that without hearing the petitioners the respondents resorted to withdraw the 3rd ACP and also ordered for recovery of excess payment made to them.

Accordingly, Annexures P2 dated 16.03.2017 and P4 dated 27.03.2017

are set aside reserving liberty to the official respondents to proceed in accordance with law, namely, by giving show cause notice to the petitioners and obtaining their explanation to proposed action of withdrawal of 3rd ACP and further ordering the recoveries.

In view of the above, the civil writ petition stands allowed.

(P. B. BAJANTHRI)
JUDGE

24.04.2017

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Whether speaking/non-speaking : Yes/No
Whether reportable : Yes/No