

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

LPA No.2262 of 2017 (O&M)

Date of Decision : 29.11.2017

State of Punjab and others

....Appellants

Versus

Nirmala Devi

...Respondent

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr.Sahil Sharma, Deputy Advocate General, Punjab.

MAHESH GROVER, J. (Oral)

We have heard the learned counsel for the appellants and do not find any reason to interfere with the findings recorded by the learned Single Judge. The widow was granted family pension and due to error some excess payment of Rs.76,901/- was made which was sought to be recovered by the appellants. This was disapproved by the learned Single Judge and we are in complete acceptance of the findings recorded by the learned Single Judge. In fact, such an appeal ought to have been dismissed with costs and the amount recovered from the officer who suggested filing of the appeal. We, however, restrain our hands but want such official and the office of the Advocate General, Punjab to be careful in prosecuting such frivolous appeals where ordinary citizens and destitute widows are harassed. Consequently, the appeal is dismissed. We mandate that whatever recovery has been made shall be restored to the respondent within a period of two weeks from receipt of certified copy of this order,

failing which the amount shall be recovered from the officer responsible for not disbursing such amount and be paid to the respondent in addition to what she is entitled.

Apart from this, the appeal is also barred by an inordinate delay of 291 days in filing and 56 days in re-filing which we do not intend to condone in the absence of any plausible explanation.

Dismissed.

(MAHESH GROVER)

JUDGE

29.11.2017
dss

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No