

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 26329 of 2018

Date of Decision: 11.10.2018

Sunil Dutt

... Petitioner(s)

Versus

Punjab State Power Corporation Limited and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Pankaj Jain, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present writ petition is for issuance of directions to the respondents and for quashing the impugned order dated 05.09.2017 (Annexure P2), whereby a sum of Rs.1,88,511/- has been ordered to be recovered from the gratuity payable to the petitioner on his retirement.

Learned counsel for the petitioner contended that the said recovery is being effected on account of some incorrect calculations having been made by the respondents. Learned counsel further contended that there was no fraudulent intention or act on the part of the petitioner and there was no misrepresentation on his part at the time of release of his pension which was due to wrong fixation of his pay in the year 1985 and the case of petitioner is squarely covered by the ratio of judgment rendered by the Hon'ble Full Bench of this Court in *Budh Ram and Others v. State of Haryana and Others (CWP-2799-2008, decided on 22.05.2009)*. Learned

counsel also submitted that petitioner made representation dated 22.09.2017 (Annexure P3), but no action has been taken in the matter.

In view of above, present writ petition stands disposed of with the directions to the respondents to look into and decide representation dated 22.09.2017 (Annexure P3), made by the petitioner, expeditiously and preferably within a period of four months from the date of receipt of a certified copy of this order.

(Shekher Dhawan)
Judge

October 11, 2018
“DK”

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