

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

CWP No. 2966 of 2017 (O&M)

Date of decision: 12.01.2018

Ramesh Kumar and others

...Petitioners

versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJIV NARAIN RAINA.

Present : Mr. Pankaj Middha, Advocate
for the petitioners.

Ms. Shruti Jain Goyal, AAG Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for quashing the action of the respondents in recovering excess amount of interim relief totalling Rs.20,000/- from each petitioner.

2. Heard the counsel for the petitioners. No reason has been furnished to the petitioners as to why recovery has been made from the arrears arising out of the 7th Pay Commission.

3. Normally, no recovery should have been made without informing the reason to the employees for such recovery. The petitioners have a right to know why they have been dealt with in the manner the Department has without applying the principles of natural justice. Therefore, the action of the respondents is quashed and a direction is issued to the competent authority to hear the petitioners and

pass a speaking order and communicate the same to them. Whatever money is found due under that order may be disbursed to the petitioners. Since the issue is minor in nature, the entire exercise be carried out within two months from the date of receipt of a certified copy of the order.

4. With these directions and observations, the writ petition is disposed of.

(RAJIV NARAIN RAINA)
JUDGE

15.01.2018

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