

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

(108)

CWP-30757-2018

Date of Decision: December 07, 2018

Rajinder Pal Ahuja

..Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Ltd and ors

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanjiv Kumar Yadav, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the petitioner is challenging the recovery, which has been done by the respondents while releasing the pensionary benefits, for which the petitioner was entitled for after the petitioner sought voluntary retirement on 17.06.2016.

Learned counsel for the petitioner states that the said recoveries have been done without issuing any show cause notice or initiating any disciplinary proceedings or by observing the rules of natural justice. Unilaterally, recovery orders have been passed without even associating the petitioner in any manner.

Learned counsel for the petitioner further states that the petitioner has given a detailed representation Annexure P-12 in this regard on 03.11.2018. He further states that in the said representation, the petitioner has also given the details that the recovery which is being sought from the petitioner, is actually incorrect.

Learned counsel for the petitioner states that the petitioners will be satisfied, at this stage, in case, a time bound direction is given to the respondents to decide the representation dated 03.11.2018 (Annexure P-12) by passing a speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 03.11.2018 (Annexure P-12), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 03.11.2018 (Annexure P-12) within a period of three months from the receipt of copy of this order.

In case, it is found that the petitioner is entitled to any monetary benefits after the decision of the representation, the same should also be paid to the petitioner within three months thereafter.

December 07, 2018
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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