

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.Nos. 23862 of 2018, 20887 & 18810 of 2019

COMMON ORDER:

With the consent of learned counsel appearing on either side, these writ petitions are being disposed of, by way of this common order.

2. Learned counsel for the petitioners submit that considering identical set of facts and circumstances, vide orders in W.P.No.26163 of 2015 dated 23.04.2018, where the respondent – University sought to recover the amount from the petitioner therein after retirement, on the ground of wrong fixation of her pay, this court considering the law laid down by Apex Court in **STATE OF PUNJAB vs. RAFIQ MASIH¹**, found fault with the action of the respondent – University in passing impugned orders for recovering the amounts, and allowed the writ petition. He submits that similar order may be passed in these writ petitions.

3. Sri Ch.Jagannatha Rao, learned Standing Counsel for the 1st respondent – University and the learned Government Pleaders for Finance and Higher Education, does not dispute the same.

4. In view of the order dated 23.04.2018 in W.P.No.26163 of 2015 and for the reasons alike, these writ petitions are allowed and the impugned proceedings Nos.Nil/UAD/Gaz/2019 dated 23.06.2018, 377/UAD/Gaz/2019 dated 17.09.2019, and 336/UAD/Gaz/2019 dated 20.08.2019 respectively are set aside.

¹ (2015)4 SCC 334

5. Interlocutory applications pending, if any, shall stand closed.

No order as to costs.

ABHINAND KUMAR SHAVILI, J

08th November, 2019.
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