

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

**CWP-19039-2013 (O&M)  
Date of decision : 06.05.2019**

**Jaswant Singh Dhillon**

**...Petitioner**

**Versus**

**State of Punjab and others**

**...Respondents**

**CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. Harinder Sharma, Advocate for the petitioner(s).

Mr. Navdeep Chhabra, DAG, Punjab.

**JITENDRA CHAUHAN J. (ORAL)**

The petitioner is aggrieved against order dated 21.06.2013 (Annexure P-5), passed by respondent No.3, whereby, a recovery of ₹27,420/- has been ordered to be effected against him on account of illegal and arbitrary re-fixation of pay after his retirement.

Learned counsel states that the pay of the petitioner drawn by him at the time of retirement was reduced post-retirement on account of re-fixation done by the Department without issuing any notice and affording opportunity of hearing to the petitioner.

On the other hand, learned State counsel submits that the re-fixation of pay was done by the Pension Sanctioning Authority, in accordance with the rules governing the petitioner.

Heard.

From the record, it is made out that the petitioner was not afforded opportunity of hearing prior to re-fixation of pay after his retirement.

At this stage, learned counsel for the petitioner states that he will be satisfied, in case, respondent No.2-Director Public Instruction (S.E.), Punjab, Vidhya Bhawan (Punjab School Education Board Building Complex) Phase-VIII, S.A.S. Nagar (Mohali), is directed to pass a fresh order after affording him opportunity of hearing.

In this view of the matter, without advertng to the merits of the instant case, the impugned order Annexure P-5 is quashed and respondent No.2-Director Public Instruction (S.E.), Punjab, Vidhya Bhawan (Punjab School Education Board Building Complex) Phase-VIII, S.A.S. Nagar (Mohali) is directed to pass a fresh speaking order, as per law, after affording opportunity of hearing to the petitioner regarding the contentions raised by him in the instant petition. The necessary exercise be completed within a period of eight weeks from the date of receipt of a certified copy of this judgment.

Disposed of.

**06.05.2019**  
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**(JITENDRA CHAUHAN)**  
**JUDGE**

Whether speaking/reasoned :                      Yes                      No

Whether Reportable :                                  Yes                      No