

CWP No.777 of 2017

Date of Decision : 03.02.2020

Dharam Singh

.....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Ltd & Ors.

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Jasmer Singh Rozera, Advocate
for the petitioner.

Mr. Anil Chawla, Advocate
for the respondents.

NIRMALJIT KAUR, J. (ORAL)

At the outset, learned counsel for the petitioner submitted that for the present, he restricts his claim qua the recovery of the balance left out of Rs.3,47,055/- as an amount of Rs.1,47,589/- has already been released with liberty to challenge the order dated 13.05.2014, vide which, his step up pay was withdrawn.

Learned counsel for the respondents also does not dispute that the respondents have no right to recover the excess amount in view of the settled proposition of law but contended that they have a right to carry out the necessary correction in the order granting benefit in case it is wrongly granted for its application in future.

In view of the admitted position, the present petition is disposed of with a direction to the respondents to refund the balance amount of Rs.1,99,466/- with interest of 6% from the date of requirement till refund

with liberty to the petitioner to challenge the order dated 13.05.2014, in accordance with law.

03.02.2020
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(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No