

127

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP-17627 of 2021

Date of decision : September 8, 2021

Satyawan and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present:- Mr. Saurabh Bajaj, Advocate
for the petitioners.

Mr. Aman Bahri, Additional Advocate General, Haryana.

G.S. Sandhawalia, J (oral).

Petitioners have filed the writ petition under Article 226 of the Constitution of India challenging the order dated 28.4.2021 (Annexure P-6) whereby recovery of over payment of refixation of pay of the teaching and non-teaching staff of Aided Schools was directed to the extent which they were drawing under Assured Career Progression Scheme. A perusal of the writ petition would show that directions have been issued by respondent No.2 for issuance of show cause notice before effecting recovery regarding over payment for re-fixation of salary, by the impugned order.

Learned counsel for the petitioners very fairly contends that in similar circumstances in the judgment passed by a co-ordinate Bench of this Court in CWP No. 11084 of 2021 decided on 22.6.2021 Chander Shekhar and others Vs. State of Haryana and others liberty has been granted to the petitioners to avail remedy in accordance with law for redressal of their

grievance. The relevant portion of the order reads as under:-

“In pursuance to the said letter, show cause notices are being issued on case to case basis. In case show cause notices are issued, the petitioners will get time to file reply and also opportunity of personal hearing.

From the submissions of learned State counsel, it is evident that as on date, no recovery proceedings have been initiated. From the petition, it is not forthcoming that the petitioners have received any show cause notice.

In such circumstances, no interference is called for in the writ petition.

Needless to say that the petitioners would be at liberty to avail remedies in accordance with law for redressal of grievance, if any, against the adjudication of the show cause notices, if so issued.

Disposed of.”

Notice of motion.

Mr. Aman Bahri, Additional Advocate General, Haryana, who is present in Court accepts notice on behalf of the respondents.

Keeping in view the order passed in CWP No. 11084 of 2021 decided on 22.6.2021, the present writ petition is also disposed of in the same terms with liberty as granted in the aforementioned order.

(G. S. SANDHAWALIA)
JUDGE

September 8, 2021
archana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No