

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

CWP-13050-2020

Date of decision: 18.01.2021

Surender Kumar

.....Petitioner.

vs.

State of Haryana and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. J.P. Rana, Advocate, for the petitioner.

Mr. Minderjeet Yadav, Deputy Advocate General,
Haryana.

Mr. Sandeep Moudgil, Advocate,
for respondents No. 3 and 4.

.....

Sanjay Kumar, J. (ORAL)

The petitioner, a fireman in the service of the Municipal Corporation, Panchkula, is aggrieved by the order dated 07.01.2020, whereby the Corporation directed recovery of the HRA/HRD paid to him from July, 2013 to May, 2017.

By order dated 28.08.2020, this Court stayed the recovery of the HRA paid to the petitioner for the said period.

While so, Mr. Sandeep Moudgil, learned counsel for respondents No. 2 and 3, would point out that the petitioner had submitted representation dated 20.01.2020 to the Commissioner of the Municipal Corporation, Panchkula, ventilating his grievance and the said representation is still pending consideration. He would assure this Court that the Commissioner would look into the matter, given sufficient time, and take an appropriate decision.

Perusal of the petitioner's representation dated 20.01.2020 reflects that he had no objection to the recovery being effected from June, 2017 onwards and his grievance was limited only to the period July, 2013 to May, 2017.

As the Municipal Corporation is yet to take a decision on the petitioner's representation, there is no necessity to keep this writ petition pending for adjudication on merits.

The writ petition is accordingly disposed of directing the Commissioner, Municipal Corporation, Panchkula, to consider the petitioner's representation dated 20.01.2020 and take a decision thereon on merits and in accordance with law expeditiously. Till such decision is taken, the Municipal Corporation shall not effect any recoveries from the petitioner for the period July, 2013 to May, 2017.

No order as to costs.

(SANJAY KUMAR)
JUDGE

18.01.2021

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no