

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

CWP-2474-2022

Date of decision: 10.02.2022

Paramjit Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vishal Aggarwal Advocate
for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *mandamus* thereby declaring the action of the respondents ordering for recovery from the pension of the petitioner, on account of alleged excess payment of pension without giving any show cause notice or affording any opportunity of hearing and for staying the operation of the impugned order dated 22.11.2021 (Annexure P-6) ordering recovery of alleged excess payment being patently illegal, arbitrary, malafide,

unconstitutional and violative of the law declared by this Hon'ble Court in case law titled Budh Ram versus State of Haryana and others, 2009 (3) PLR 511 which stands upheld by the Hon'ble Supreme Court of India the latest judgment dated 02.08.2013 passed in SLP (C) No.24607 of 2010 titled State of Punjab and others versus Krishan Kumar Bansal and others.

Notice of motion to the official respondents.

Ms. Simran Grewal, AAG, Punjab puts in appearance and accepts notice on behalf of the respondents-State. Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the representation dated 27.11.2021 (Annexure P-8) moved by the petitioner and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

10.02.2022

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No