

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

CWP No.1196 of 2022

Date of decision: 25th January, 2022

Harpreet Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Ranjivan Singh, Advocate for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioner Harpreet Singh has invoked the writ jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking a writ by way of certiorari for quashing of demand notice dated 26.11.2021 (Annexure P5) issued by respondent No.5-The Manager, State Bank of India ordering recovery of ₹ 7,30,588/- being an excess payment on account of family pension having been made to the petitioner.

Heard.

Notice of motion.

Mr. Nikhil Chopra, Addl. Advocate General, Punjab puts in appearance and accepts notice on behalf of respondents No.1 to 4 and Mr. Vikas Chatrath, Advocate on behalf of respondents No.5 and 6.

It is contended by learned counsel for the petitioner Mr.Ranjivan Singh, Advocate and has not been refuted by the opposite side that the petitioner has already sent reply to the demand notice upon which no speaking order has been passed till date.

Mr. Vikas Chatrath, Advocate representing the respondent State Bank of India submits that the respondent Bank as per instructions received by him is ready to consider the same in a legal manner.

Be that as it may, the present petition stands disposed off with a direction to the respondent Bank to duly consider the reply (Annexure P7) as representation of the petitioner to all the respondents in accordance with law by passing a speaking order preferably within a period of one month from the date of receipt of a certified copy of this order. Till then, no recovery shall be effected as per the demand notice.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

January 25, 2022

rps

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