

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(134)

CWP No. 9657 of 2022

Date of Decision : 09.05.2022

Dharampal

....Petitioner

Versus

Union of India and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sandeep Goyat, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that from the pension of the petitioner, the recovery has been done of some excess amount paid to the petitioner, which according to the petitioner is not permissible keeping in view the settled principle of law settled by the Hon'ble Supreme Court of India in ***State of Punjab and others Vs. Rafiq Masih (White Washer) etc., 2015(1) S.C.T., 195.***

Learned counsel for the petitioner submits that though no order has been passed but the recovery is being done from the petitioner and hence, the petitioner served upon the respondents a legal notice dated 17.11.2021 (Annexure P-4) qua the said action, which legal notice is still pending consideration with the authorities concerned and the petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 6 to decide the same by passing an appropriate speaking order in a time bound

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondent No. 6 is directed to decide the legal notice dated 17.11.2021 (Annexure P-4), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

May 09, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	✓ Yes/No
Whether reportable?	✓ Yes/No