

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(106)

CM-9013-CWP-2022 in/and
CWP-12965-2015
Date of Decision : September 05, 2022

Dharam Pal

.. Petitioner

Versus

U.H.B.V.N Ltd. and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naveen Daryal, Advocate, for the applicant-petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-9013-CWP-2022

Present application has been filed for recalling the order dated 26.05.2022, by which, the present writ petition was dismissed for non-prosecution.

Notice of the application to the counsel opposite.

On asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents. He raises no objection for the grant of prayer as raised in the present application.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the same is allowed. The order dated 26.05.2022 is recalled and the writ petition is restored to its original number

and status.

CWP-12965-2015

Learned counsel for the petitioner submits that as per his instructions, the petitioner is not aggrieved against the recovery of amount in respect of commutation of pension, which was not deducted inadvertently but actually the recovery, which has been done from the petitioner, is for the reasons other than being mentioned in the show cause notice dated 03.11.2014 (Annexure P-7). Learned counsel for the petitioner further submits that even the undertaking which is being relied upon by the respondents is not applicable in the present case, hence the petitioner be allowed to withdraw the present petition with liberty to approach the respondent authorities to justify the stand of the petitioner, as of now, no order has been passed on the basis of show cause notice dated 03.11.2014 (Annexure P-7) so as to cause any prejudice at this stage.

Ordered accordingly.

September 05, 2022*harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No