

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

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CWP-18207-2022

Date of Decision :22.08.2022

Sajjan Kumar Goyal**...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Namit Khurana, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the respondents had recovered a sum of Rs.6,63,688/- from the petitioner's pension account and that too without issuing any show cause notice to the petitioner. Learned counsel for the petitioner further argues that the petitioner retired from service on 29.02.2016 whereas, the said recovery was effected by the respondents after the period of five years of his retirement, which is impermissible keeping in view the 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* according to which, no recovery can be effected from a pensioner.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of filing a representation dated 22.06.2022 (Annexure P/2), which is still pending consideration with the respondents and the petitioner will be satisfied in case a time bound direction is issued to the respondent No.2 to

decide the said representation.

Notice of motion.

Mr. R.S. Budhwar, Addl. A.G. Haryana, who is present in the Court, accepts notice on behalf of respondents and raises no objection in deciding the representation dated 22.06.2022 (Annexure P/2) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in his representation, respondent No.2 is directed to decide the representation dated 22.06.2022 (Annexure P/2) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order.

Present writ petition stands disposed of.

August 22, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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