

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

CWP-24799-2016

Date of Decision: 01.06.2022

Deen Dayal Sharma

..... Petitioner

Versus

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

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Munish Mittal, Advocate,
for the petitioner.

Mr. Narender Singh Behgal, AAG, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, grievance of the petitioner is that a sum of Rs.1,62,223/- has been deducted from his pensionary benefits by the respondents on the ground that the said amount is liable to be recovered from the petitioner keeping in view the certain acts attributed during the service career, such as the court cases, excess calls of mobile phone, non-submission of attendance sheet of DC rate employee and missing parts of the damaged transformers, which action of the respondents is totally arbitrary and illegal, hence the respondents are liable to be directed to refund back the amount, so deducted from the pensionary benefits of the petitioner.

After notice of motion, the respondents have filed the reply, wherein it has been stated that the recoveries, which have been effected from the pensionary benefits of the petitioner, have been done keeping in view the order passed by the authorities concerned, during the service

tenure of the petitioner, wherein he was found liable to make good of certain amounts under various heads. Learned counsel for the respondents submits that the petitioner never challenged the said order of recovery passed against him during his service career, hence the said amount has been recovered from his pensionary benefits.

Faced with this situation, learned counsel for the petitioner submits that keeping in view the said reply, the present petition may kindly be disposed of as having been not pressed any further at this stage, but with a liberty to the petitioner to approach the respondents by way of filing an appropriate representation so as to satisfy them that the recovery, which has been effected from the pensionary benefits of the petitioner by the respondents, was not done after following the due process of law and the petitioner is not liable to pay the said amount, keeping in view the facts and circumstances of this case.

Learned counsel for the respondents submits that in case, any such representation is filed by the petitioner, the same will be considered in accordance with law and an appropriate speaking order will be passed by the authorities concerned within a period of eight weeks from the date of receipt of such representation.

As prayed for by learned counsel for the petitioner, the present petition is disposed of as having been not pressed any further with the liberty as prayed for.

01.06.2022*Apurva***(HARSIMRAN SINGH SETHI)****JUDGE**

1. Whether speaking/reasoned : Yes
2. Whether reportable : No