

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(214)

CWP-4727-2016

Date of Decision : September 27, 2022

Umrao Singh

.. Petitioner

Versus

DHBVNL and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Raman B. Garg, Advocate, with
Ms. Gitanjali Chhabra, Advocate and
Mr. Mayank Garg, Advocate, for the petitioner.

Mr. Prateek Mahajan, Advocate, with
Ms. Perna Malhotra, Advocate and
Mr. Daanish Mahajan, Advocate, for the respondents.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner submits that the recovery has been done from the petitioner without passing the final order on the enquiry proceedings initiated against the petitioner.

Learned counsel for the respondents submits that there was no occasion to pass the final order on the enquiry proceedings keeping in view the undertaking given by the petitioner dated 31.10.2013 according to which, he had already given the liberty to the Department to recover the said amount keeping in view the finding in the enquiry report. It was under these circumstances, the recovery was done from the petitioner keeping in view the undertaking given by the petitioner without passing any final order.

Learned counsel for the respondents submits that in case the petitioner is disputing his undertaking, appropriate final order on the enquiry proceedings will be passed within a period of four weeks from the receipt of copy of this order and in case after the passing of the order on the enquiry proceedings, any amount is due to the petitioner, the same will be released to him.

Learned counsel for the petitioner submits that the petitioner be also given liberty to assail the final order in case, the same causes prejudice to the petitioner.

Learned counsel for the petitioner submits that keeping in view the statement of the learned counsel for the respondents that they will pass an appropriate order on the enquiry proceedings and thereafter, will release the amount to the petitioner in case found permissible, the present writ petition may kindly be disposed of having been not pressed any further, with liberty as prayed for.

Ordered accordingly.

September 27, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No