

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CWP-22178-2022

Date of Decision :12.10.2022

Mulak Raj @ Mulakh Raj

...Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam Limited
and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. A.K. Virdi, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that even as per the impugned order dated 28.06.2022 (Annexure P/1) passed by the respondents, two recoveries amounting to Rs.9,18,742/- and Rs.18,8,334/- have been ordered from the petitioner but the respondents have withheld the total pensionary benefits of the petitioner, which amount is much more than the said recoveries. Learned counsel for the petitioner further submits that once the proceedings due to which the pensionary benefits of the petitioner have been withheld, have already come to an end, the respondents are under an obligation to release the pensionary benefits to the petitioner and the amount, which according to the respondents is recoverable from the petitioner can be withheld subject to the legal remedy, which the petitioner will avail.

Notice of motion.

On the asking of the Court, Mr. Rajesh Gaur, Advocate accepts notice on behalf of the respondents and submits that in case the petitioner gives in writing that after withholding the amount of recoveries as ordered by the respondents vide order dated 28.06.2022 (Annexure P-1), remaining amount be released, an appropriate order will be passed by the respondents releasing the said benefits within a period of four weeks from the date of filing the said undertaking by the petitioner.

Learned counsel for the petitioner submits that keeping in view the statement made by learned counsel for the respondents, the present writ petition may be disposed off having been not pressed any further with liberty to the petitioner to avail appropriate remedy of appeal against the impugned order before the higher authorities.

Ordered accordingly.

October 12, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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