



WMP No.21403 of 2023 in Writ Petition No.13589 of 2022

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WEB C **M.S.RAMESH,J.,**

This petition is filed to modify the interim order passed on 01.06.2022 in W.P.No.13589 of 2022.

2. Learned counsel for the petitioner submits that this Court on 01.06.2022 has granted an interim stay insofar as stoppage and recovery to a sum of Rs.5,94,863/-, but as per the impugned order the amount is Rs.14,80,439/-. Therefore, the amount mentioned in the order dated 01.06.2022 has to be modified .

3. Heard the learned counsel for the petitioner.

4. Accordingly, the order dated 01.06.2022 is hereby modified and substituted as under:-

*“ For a mistake committed by the respondent in payment made to the petitioner, who is a Class “D” employee for the period from 01.07.2020 to 31.03.2022, recovery may not be permissible in accordance with the decision laid down by the*



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sr

*Hon'ble Supreme Court in the case of **State of Punjab Vs Rafiq Masih (White Washer)** reported in (2015) 4 SCC 334. Hence, there shall be an order of interim stay, **insofar as stoppage and recovery to a sum Rs.14,80,439/- i.e., Rs.10,96,980/- and 3,83,459 as mentioned in the impugned order dated 25.04.2022**".*

Registry is directed to issue fresh order copy to the parties concerned.

09.11.2023

sr

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