

2023:PHHC:090132

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CM-3639-CWP-2021 in/and
CWP-20451-2011 (O&M)
Date of Decision:-18.7.2023

N.S. Gill

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurpreet Singh Dhillon, Advocate,
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

CM-3639-CWP-2021

By way of filing the present application, the applicant/petitioner seeks disposal of the main petition, which stands admitted vide order dated 18.3.2013. The order dated 18.3.2013 reads as under:

“Counsel for the petitioner states that identical matter has been admitted by this Court i.e. CWP No. 6380 of 2006 titled as Darshan Kumar Bhasin and others vs. State of Punjab and others.

Admitted.

To be listed and heard along with CWP No.6380 of 2006 titled as Darshan Kumar Bhasin and others vs. State of Punjab and others.”

It has been submitted that since CWP No.6380 of 2006 stands finally decided, the instant petition may also be disposed off in same terms.

In view of the aforesaid submission, the instant application is allowed and hearing of the main petition, which stands admitted vide order dated 18.3.2013, is preponed and is taken on board today for disposal.

CWP-20451-2011 (Main Case)

1. The petitioner seeks issuance of a writ in the nature of certiorari so as to quash order dated 13.6.2011 (Annexure P-6) vide which the pay-scale of the petitioner had been reduced and the excess amount stated to have already been paid, had been ordered to be recovered.
2. Learned counsel for the petitioner submits that some identically situated persons had also approached this Court by way of filing CWP No.6380 of 2006 and CWP No.9068 of 2006, both of which were decided vide common judgment dated 1.2.2019 (Annexure A-2) being squarely covered by a judgment rendered by this Court in CWP No.9023-2002 titled Dr. Rameshwar Chander and others Versus The State of Punjab and others, decided on 7.9.2010.
3. Learned State counsel, upon instructions from SDO, Gurpreet Singh, has submitted that the case of the petitioner would also be covered by the said judgment being identical on facts and has submitted that the present case may be disposed of in the same terms.
4. In view of the aforesaid submission, the instant petition is disposed of in the same terms as in Dr. Rameshwar Chander's case (supra) to the effect that no recovery shall be effected from the petitioner and in case any amount has

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been recovered pursuant to order dated 13.6.2011 (Annexure P-6), the same shall be refunded to the petitioner.

18.7.2023 (Gurvinder Singh Gill)
pankaj Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No