

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

133

CWP-25250-2023

Date of Decision: 08.11.2023

Sukhdev Singh

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Gagneshwar Walia, Advocate for the petitioner

Mr. Inderpreet Singh Kang, AAG, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 18.10.2023 (Annexure P-11) passed by respondent No.3 whereby salary of the petitioner has been reduced without granting him opportunity of hearing.

2. Learned counsel for the petitioner *inter alia* submits that respondent while considering representation of another retired employee has re-fixed salary of the petitioner without issuing show cause notice as well as granting opportunity of personal hearing. The salary of the petitioner was fixed in 2013 on the directions of this Court and by passing speaking order, thus, the respondent could not pass impugned order without issuing show cause notice followed by opportunity of personal hearing.

3. Learned State counsel fairly concedes that impugned order has been passed without issuing show cause notice as well as granting opportunity of hearing to the petitioner.

4. In the wake of statement of learned State counsel, this Court is of the considered opinion that present petition deserves to be allowed and accordingly allowed. The impugned order dated 18.10.2023 (Annexure P-11) is hereby set aside with liberty to the respondent to pass afresh order, if warranted and permissible by law, but after issuing show cause notice and granting opportunity of personal hearing to the petitioner.

(JAGMOHAN BANSAL)
JUDGE

08.11.2023
Mohit Kumar

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