

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CWP-4279-2021

Date of decision: 19.09.2024

INDERJEET YADAV

....Petitioner

Versus

UNION OF INDIA AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

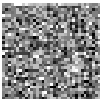
Present : Mr. Sardavinder Goyal, Advocate
for the petitioner (Through VC).

Mr. Arun Gosain, Senior Government Counsel
for respondents.

ALOK JAIN. J.(Oral)

1. Through the present petition, under Articles 226/227 of the Constitution of India, prayer is made for issuance of a writ in the nature of Certiorari for quashing of the impugned notice dated 25.06.2018 (Annexure P-6), issued by respondent No.2, whereby, the petitioner has been ordered to refund Rs.7,57,278/- alleged to be paid on account of wrong payment of Non-Practicing Allowance (NPA), during the period from 17.10.2012 to 31.08.2017.

2. Learned counsel for the petitioner submits that his representations are pending with the authorities concerned and he has fair chance that the same would be allowed and before a direction is issued to the authorities concerned, a conscious decision be taken. Learned counsel for the petitioner further submits that the interim granted by the Co-ordinate Bench of this Court on 26.03.2021 be continued for next 15 days, after the representation is decided, so that in case of



any adverse decision against the petitioner, he may be in a position to challenge the same.

3. Learned counsel for the respondents is not adverse to the said proposition.

4. In light of the above, without commenting on the merits of the case, the present petition is disposed of with a direction to the petitioner to file a comprehensive representation within a period of 02 weeks from today and the same shall be considered by the competent authorities, within a period of 08 weeks.

5. Needless to say that the petitioner would be granted an opportunity of personal hearing and authorities concerned shall take a conscious decision in accordance with law.

6. However, the order dated 26.03.2021, whereby, the recovery of amount of NPA for the period from 18.02.2015 to 31.08.2017 shall stay operative for a period of 02 weeks, from the date representation is decided by the authorities concerned and the decision is served upon the petitioner.

7. Disposed of accordingly.

8. It is made clear that this Court has not expressed any opinion on merits and the direction to decide the representation is only on account of the request of learned counsel for the petitioner.

19.09.2024
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(ALOK JAIN)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No