

CWP-12220 of 1997

2024:PHHC:142031



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

CWP-12220 of 1997

Date of decision: 29.10.2024

Megh Raj Wadhera

.....Petitioner

Versus

The State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Ms. Shefali, Advocate,
for Mr. Arjun Partap Atma Ram, Advocate,
for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. Instant petition has been filed under Articles 226/227 of the Constitution of India for quashing the orders dated 22.04.1997 (Annexure P-15) whereby respondents have awarded punishment of recovery of 50% of the alleged loss caused to the Improvement Trust, Ludhiana, from the retiral benefits of the petitioner; for quashing enquiry report dated 08.12.1994 and for direction to the respondents to release the retiral benefits of the petitioner with interest at the rate of 24% per annum

2. While issuing notice of motion on 21.08.1997, recovery was stayed.

3. Learned State counsel submits that during the pendency of the present petition, petitioner has died on 27.02.2024, however, his LR's have not been brought on record by either of the parties. He



further submits that family pension is being paid to the wife of the petitioner.

4. In this view of the matter, it is ordered that no recovery shall be effected from legal representatives of the petitioner in view of the law laid down by this Court in *Ex Naik Bhag Chand Vs. Director General of Police, CRPF and others : 2024NCPHHC 20629*, whereby it has been held that no recovery can be effected from the LR's of the deceased.

5. Disposed of accordingly.

29.10.2024
R.S.

(NAMIT KUMAR)
JUDGE

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