



CWP-3256-1999 (O&M)

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CWP-3256-1999 (O&M)
Date of Decision: 01.10.2024

Jai Bhagwan Bansal and others

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- None for the petitioners

Mr. Harish Rathee, Sr. DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

Pursuant to last order, dated 03.07.2024, notices were issued to the petitioners since learned counsel representing them is no more. As per office report, some of them have been served, and a few others have refused to accept notice.

2. The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the order dated 02.07.1998, Annexure P-4, whereby the petitioners' pay was reduced and recovery was ordered to be effected from them.

3. Learned State counsel does not dispute that the petitioners must have superannuated from service by now.

4. While issuing notice of motion, this Court vide interim order dated 22.03.1999, restrained the respondents from effecting any recovery from the petitioners pursuant to the impugned order. Law in this regard has already been



settled in *State of Punjab and others v. Rafiq Masih (White Washer) and others*, (2015) 4 SCC 334, that recovery of the excess payment cannot be effected from a retired employee.

5. In view thereof, the petition stands disposed of without interfering with the impugned order dated 02.07.1998, at the same time, restraining the respondents from effecting recovery pursuant thereto.

(TRIBHUVAN DAHIYA)
JUDGE

01.10.2024
Payal

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>