

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

204

CWP-395-1998
Date of Decision: 07.03.2024

CHARANJI LAL ... PETITIONER

Versus

STATE OF PUNJAB AND ORS. ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Laxman Chaudhary, Advocate for
Mr. R.S.Bajaj, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 08.12.1997 (Annexure P-3) whereby respondent has ordered for recovery of Rs.38,331/-.
2. The petitioner was working with respondent as Driver. He met with an accident. The criminal proceedings were instituted against him wherein he was ultimately acquitted. The Motor Accident Claims Tribunal, Kapurthala awarded compensation to victims of the accident. In the light of order passed by MACT, the respondent ordered to recover a sum of Rs.38,331/- from the salary of the petitioner. This Court vide order dated 13.01.1998 stayed the recovery.

3. By order dated 13.01.1998, the operation of impugned order was stayed. A period of almost three decades from the date of accident and more than two decades from the date of impugned order has passed away. This Court, at this Stage, considering the amount involved and passage of time, does not seem it appropriate to disturb the stay granted by this Court vide order dated 30.01.1998.

4. Accordingly, the petition stands disposed of with a direction to the respondents that no recovery shall be effected from the petitioner.

(JAGMOHAN BANSAL)
JUDGE

07.03.2024
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>