

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

(108)

CWP-8271-2024

Date of Decision : April 16, 2024

Chandro**.. Petitioner****Versus****State of Haryana and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Sandeep Thakan, Advocate, for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner submits that while granting the pensionary benefits, recovery of Rs.1,14,773/- has been done, which is clear from the pension payment order and that too without passing any order of recovery or giving any opportunity of hearing to the petitioner or even disclosing the reasons for the recovery hence, recovery of Rs.1,14,773/- is arbitrary and illegal and the respondents are liable to be directed to release the said amount along with interest.

2. Learned counsel for the petitioner further submits that the grievance raised in the present petition has already been raised by the petitioner in the legal notice dated 05.01.2024 (Annexure P-5) which is still pending consideration with the respondents and the petitioner will be satisfied at this stage in case a time bound direction is issued to the

respondents to decide the said legal notice by passing an appropriate speaking order.

3. Notice of motion.

4. Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

5. Learned counsel for the respondents submits that in case the legal notice dated 05.01.2024 (Annexure P-5) has been received in the office of concerned authorities, the same will be decided by the authorities concerned within a period of eight weeks of the receipt of copy of this order and in case, after the decision of the said legal notice, any benefit accrues to the petitioner, the same will also be released to her otherwise due reasons will be mentioned in the speaking order for not accepting the prayer of the petitioner for her information and necessary action.

6. Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present writ petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

April 16, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No