

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

(203)

RSA-2718-1999 (O&M)

Date of Decision : April 29, 2024

Punjab State Electricity Board, Patiala and others**.. Appellants****Versus****Ram Dass****.. Respondent****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Hunarveer Sharma, Advocate, for the appellants.

Mr. H.K. Brinda, Advocate, for the respondent.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the appellants submits that after the filing of the present appeal, the respondent-plaintiff has already retired from service and the recovery has already been done from him at the time of his retirement.

2. Learned counsel for the respondent-plaintiff concedes the said fact as the respondent-plaintiff, who is present in the Court, concedes the same but submits that any recovery done from his pensionary benefits is contrary to the law, liberty be given to the respondent-plaintiff to assail the said action by availing appropriate remedy.

3. Keeping in view the facts mentioned above, the present appeal has been rendered infructuous and the same is disposed of as such with liberty to the respondent-plaintiff to avail appropriate remedy qua recovery

done from the pensionary benefits.

4. Any civil miscellaneous application pending if any, also stands disposed of.

April 29, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No