

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)RSA-4384-1999 (O&M)
Date of Decision : April 29, 2024

Randhir Singh Malik.. Appellant

Versus

State of Haryana and others.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Malik, Senior Advocate, with
Mr. Kartikey Chaudhary, Advocate, for the appellant.

Ms. Vibha Tewari, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned senior counsel appearing on behalf of the appellant submits that the appellant has already died and though, the pay of the appellant was fixed as determined by the respondents themselves but the recovery of the excess amount was stayed hence, in case the respondents does not intend to recover the said excess payment already paid, the present appeal may kindly be disposed of having been not pressed any further.
2. Learned counsel for the respondents submits that as the appellant has already died and the recovery of the excess amount had been stayed, keeping in view the judgment of the Hon’ble Supreme Court of India in *State of Punjab and others Vs. Rafiq Masih (White Washer) etc., 2015(1) S.C.T., 195*, in case, any recovery is to be done from the appellant, the same will not be done but his pay will be fixed in accordance with his

option rendered as he has opted for the revised pay scale from 01.10.1979 instead of 01.10.1980

3. Learned senior counsel for the appellant submits that keeping in view the statement of learned counsel for the respondents, the present appeal may kindly be disposed of having been not pressed any further.

4. Ordered accordingly.

5. 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