

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

303/2

CWP-16498-2005
Date of Decision: 23.01.2024

Kishan Chand ...Petitioner(s)

Versus

State of Haryana and others ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- None for the petitioner
Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the order dated 26.03.2004, Annexure P-2, whereby the petitioner's pay was reduced and re-fixed at ₹8100 with effect from 01.01.1996, instead of ₹8700 in the pay scale of ₹6500-10500, and directing the respondents to refund the amount recovered from him as per instructions dated 18.07.2001.

2. Learned State counsel submits that the petitioner's pay was wrongly fixed, the mistake was rectified in terms of instructions dated 18.07.2001, and recovery was effected. The petitioner himself vide letter dated 02.04.2004, appended to the written statement, requested that the due amount may be adjusted against the gratuity payable to him. Accordingly, the amount already stands recovered in terms thereof. The respondents were

within their rights to effect the recovery in terms of instructions as per the law applicable at that time.

3. In view of this factual situation which has not been disputed by the petitioner by filing any replication, the impugned order need not be interfered with.

4. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

23.01.2024
Payal

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