



CWP-2351-2018 (O&M)

-1-

210

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

**CWP-2351-2018 (O&M)
Date of Decision: 17.05.2024**

Balbir Singh

..... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Vijay Deep Rathee, Advocate,
for the petitioner.

Mr. Vivek Saini, Advocate,
for the respondents.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 22.11.2016 (Annexure P-5) and impugned amended PPO dated 03.02.2017 (Annexure P-9 Colly), whereby the respondent-Department had changed the date of grant of 1st ACP as on 01.01.2006 instead of 01.11.2002 and further raised the recovery of Rs.19,157/- after changing the date of 1st ACP scale granted to him, which is totally against the law with a further prayer in the nature of *mandamus* directing the respondents to grant the 1st ACP to the petitioner w.e.f. 01.11.2002 and refund the recovered amount of Rs.19,157/- along with interest.

2. At the outset, Mr. Vivek Saini, learned counsel for the

**CWP-2351-2018 (O&M)****-2-**

respondents submitted that now the amount which was recovered from the petitioner has since been refunded to him along with interest @ 6% per annum vide Cheques No.959679 & 959680 dated 18.04.2024, respectively. He further submitted that so far as the second prayer of the petitioner that the date of his ACP is required to be changed instead of 01.01.2006 to 01.11.2002 is concerned, the matter is still in process and it has been recommended for review and final decision will be taken by passing a speaking order in this regard within a period of four months from today and therefore, the present petition has become infructuous and may be disposed of as such.

3. After hearing the learned counsel for the respondents, this Court is of the view that so far as the refund of the recovered amount is concerned, the same has been refunded along with interest @6% per annum as per the statement given by the learned counsel for the respondents and so far as the other issues are concerned, learned counsel for the respondents also stated that the final decision will be taken by passing a speaking order within a period of four months from today and therefore, the present petition is disposed of as having become infructuous .

17.05.2024*Bhumika***(JASGURPREET SINGH PURI)****JUDGE**

- | | |
|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |