

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

118

CWP-19207-2023

Date of Decision : 15.01.2024

Anup Singjh

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Devender Arya, Advocate
for the petitioner.

Mr. Alankrit Bhardwaj, Cenmtral Govt. Counsel
for the respondents-UOI.

JAGMOHAN BANSAL, J. (Oral)

1. On 01.09.2023, the following order was passed :

“Learned counsel for the petitioner inter alia submits that as per letter dated 18.12.2015 (Annexure P-10), a sum of Rs.1,93,100/- has been paid to the petitioner which is factually incorrect. From the pay slip and other documents, it is quite evident that a very small amount out of the aforesaid amount has been paid to the petitioner e.g. petitioner under heading ‘DIES NON Period’ has been shown to be paid Rs.1,28,115/- whereas he has actually been paid Rs.23,420/-.

Learned counsel for the respondents seeks short accommodation to get instructions.

Adjourned to 15.09.2023.”

2. On 30.11.2023, the following order was passed :

“Reply by way of affidavit dated 28.11.2023 of Sh. Devinder Jit Singh, DIG, son of Shri Rattan Singh, aged 58 years, working as DIG (Adm), HQ NW Sector, CRPF Chandigarh filed on behalf of the respondents is taken on record. Registry is directed to tag the same at an appropriate place.

As per petitioner, he has never received a sum of Rs.1,28,115/- and respondent has wrongly deducted a sum of Rs.1,93,100/- on the ground that there was excess payment.

The respondent in the reply is conceding that they have over recovered a sum of Rs.55,627/-.

The parties are directed to file their calculation sheet as well as supporting documents.

Adjourned to 15.01.2024.

Learned counsel for the respondents assures the Court that a sum of Rs.55,627/- would be paid to petitioner before the adjourned date.”

3. Learned counsel for the respondents submits that in compliance of order dated 30.11.2023 of this Court, a sum of Rs.55,627/- has been released to the petitioner.

4. From the calculation submitted by petitioner as well as calculation submitted by respondent, it comes out that there is dispute of Rs.1,30, 000/-. As per petitioner, he was never paid excess amount of Rs.1,30,000/-, thus there was no question of recovery whereas as per respondent, there was excess payment of said amount and it has been

recovered from GPF of the petitioner.

5. This Court cannot carry out exercise of calculation of correct amount and it would be appropriate if respondent-authorities make calculation considering representation of the petitioner. Accordingly, the petition is disposed of with liberty to petitioner to submit his calculation to respondent No.4 i.e. Conmandant, 5th Bataliion, CRPF, New Delhi, who would carry out the exercise of calculation of correct amount within three months from the date of filing calculation sheet by the petitioner.

15.01.2024
anju

(JAGMOHAN BANSAL)
JUDGE

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