



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-24319-2022
Date of decision 31.08.2024

Manmohan SinghPetitioner

Versus

Punjab Water Resources Management & Development
Corporation LimitedRespondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. A.S. Walia, Advocate for the petitioner.

Mr. S.S. Bedi, Advocate for the respondent.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India seeking a writ of certiorari, quashing the order dated 08.02.2016 (Annexure P-1), to the extent of recovery effected from the leave encashment due to the petitioner. Further seeking a writ of mandamus, directing the respondent to refund the amount recovered from the leave encashment along with interest.

2. Learned counsel for the petitioner submits that the present case is squarely covered by the judgment of Hon'ble Supreme Court in ***State of Punjab Vs. Rafiq Masih (White Washer) and others : 2015(1) S.C.T. 195.***

3. The abovesaid legal position has not been disputed by learned counsel for the respondent.

4. In view of the above, the present petition is allowed and the respondent-Corporation is directed to refund the amount of Rs.90,629/-



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recovered from the leave encashment of the petitioner along with interest @ 6% per annum from 08.02.2016 i.e. the date of recovery till its actual payment, within a period of 03 months from the date of receipt of certified copy of this order.

31.08.2024

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(NAMIT KUMAR)

JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No