

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103 (2 cases)

CWP-19278-1998 (O&M)

Date of Decision: 24.02.2025

R.C. Parmar and others

...Petitioners

Versus

Haryana Vidyut Parsaran Nigam Limited and another ...Respondents

With

CWP-2715-1999 (O&M)

D.S. Matharu and others

...Petitioners

Versus

Haryana Vidyut Parsaran Nigam Limited and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. S.S. Shekhawat, Advocate for the petitioner Nos.3 and 6

Ms. Nikita Goel, Advocate

for Mr. Jagbir Malik, Advocate for respondents

(in CWP-19278-1998)

Ms. Perna Malhotra, Advocate with

Mr. Shivain Arora, Advocate for respondents

(in CWP-2715-1999)

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in both the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from *CWP-19278-1998*.

2. The petitioners through instant petition under Articles 226/227

reduce their basic pay. They are further seeking direction not to effect recovery with respect to already made payment.

3. The Division Bench of this Court vide order dated 16.08.1999 admitted the petition and stayed the recovery.

4. Learned counsel for the petitioners submits only petitioner Nos.3 and 6 are contesting. He further submits that despite stay granted by this Court, the respondent has effected recovery.

5. Learned counsel for the respondent submits that recovered amount was not more than ₹10,000/- per petitioner. They expressed their inability to controvert the fact that a Division Bench of this Court vide order dated 16.08.1999 had stayed the recovery.

6. The petitioners have already retired and have got reduced salary during their service. The payment already made could not be recovered from them. Despite the stay granted by this Court, the respondent has recovered partial amount.

7. In the backdrop, the petitions stand disposed of with a direction to respondent to refund already recovered amount, if any, to the petitioners along with interest @ 6% per annum. The needful shall be done within 3 months from today.

8. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

24.02.2025
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No