



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

409

CWP-8813-2002 (O&M)
Date of decision: 28.02.2025

Neeraj Sood

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner

Ms. Shruti, AAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. The prayer made in the present petition is for quashing the letter dated 28.05.2001, issued by respondent No.1.
2. Reliance had been placed in the index of the petition to CWP-15661-2000, involving the same issue on withdrawal of increments granted on the basis of higher qualification, without giving any opportunity of hearing, which was disposed of by the Division Bench of this Court on 04.07.2002, based on which the other CWP-11377-2001, CWP-329-2004 & CWP-16788-2005 have also been disposed of on 23.05.2024 and reads thus:

“The petitioners in these four cases are working as Medical Officers. They complain that the respondent-authorities have arbitrarily ordered the withdrawal of increments which had been granted on the basis of higher qualifications or other similar reasons. By way of instance, reference has been made to order dated October 3, 2000, produced as Annexure P/3 in Civil Writ Petition No. 15661 of 2000. The pay of Dr. Parveen Mittal has been reduced. The petitioners complain that no opportunity whatsoever was given before the orders for reduction of pay were passed.

Written statement has been filed by respondent No.5 in Civil Writ Petition No. 15661 of 2000. In this reply,

explanation with regard to petitioner No.15 has been given. The position regarding the remaining petitioners has not been explained.

Mr. D.V.Sharma, Additional Advocate General, Punjab states that the orders for revision of pay, if issued in respect of any of the petitioners in these four cases, may be deemed to have been withdrawn. The pay of the petitioners, if reduced, shall be restored to its original position. In case any recovery has been made, the amount shall be re-imbursed. The department shall consider and decide the matter afresh after hearing the persons concerned. The matter shall be decided by the appropriate authority after giving a due and reasonable opportunity to the officers.

In view of the above, the orders of reduction of pay, if any, are quashed. The respondents shall decide the matter in accordance with law and after observing principles of natural justice. The amount, if any, recovered from the petitioners, shall be reimbursed.

The writ petitions are accordingly disposed of.
No costs.”

3. Learned State counsel being unable to controvert regards the factual position and draw out any distinctive aspects in the aforementioned judgment or cite any contrary law, in view of which, the present petition is disposed of in terms thereof.

(AMAN CHAUDHARY)
JUDGE

28.02.2025

M.Kamra

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