IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

770-2 cases

Date of decision: 01.05.2025

1) CWP-14436-2004 (O&M)
Dayawanti and others vs. State of Punjab and others

2) CWP-9774-2006 (O&M)
Darshan Kaur vs. State of Punjab and others

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

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Present:- Mr. Om Pal Sharma, Advocate
for the petitioners in both cases.

Ms. Shruti, AAG, Punjab.

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AMAN CHAUDHARY, J. (ORAL)

1. These cases involve similar issues and therefore, are being disposed of together by this common order, for the sake of convenience the facts are derived from CWP-14436-2004.

2. Prayer made in the present petitions is for directing the respondents not to recover the dearness allowance paid to the petitioners in way back in the year 2001, which the Division Bench while issuing notice of motion on 17.09.2004, had stayed.

3. Reference has been made to the judgments in **Budh Ram and others vs. State of Haryana and others**, 2009(3) PLR 511, and **Balwinder Kaur vs. State of Punjab and others,** CWP-2691-2005 which was disposed of on 18.08.2006 being covered by the judgment dated 20.01.2004 passed in **Mukhtiar Singh vs. State of Punjab**, CWP-891-2003, involving the same issue, which was though dismissed qua claim for dearness allowance and family pension, however, prayer in respect of recovery sought to be made was allowed by relying on the judgment in case of **Sahib Ram vs. State of Haryana,** 1994(5) SLR 753 (SC), which fact learned State counsel despite best efforts has been unable to controvert and resist disposal of the petition in

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terms thereof or cite any contrary law.

4. The present petitions are disposed of in terms of **Mukhtiar Singh** (supra).

5. Photocopy of this order be placed on the file of connected case.

(AMAN CHAUDHARY)
JUDGE

01.05.2025
Hemant

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

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