



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

652

CWP-19670-2003 (O&M)
Date of Decision: 08.04.2025

Ram Lubhaya Bhasin

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Vikas Chatrath, Advocate for the petitioner.

Mr. Arun Gupta, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition for quashing the order dated 25.07.2003 vide which a sum of Rs.2731/- has been withheld from the arrears of pay of the petitioner and ordered to deposit a sum of Rs.7989/- which has been paid extra to him on his superannuation.

2. Learned State counsel refers to para (i) and (ii) of the preliminary submissions of reply dated 23.07.2004 filed on behalf of respondent Nos.1 & 2 wherein it has been stated that the excess amount paid to the petitioner was being recovered after affording full opportunity of hearing and was not contrary to principles of natural justice. Further, the petitioner himself had given an undertaking Annexure R1 on 13.10.1998, to refund the amount, if paid to him erroneously or in excess and his pay was fixed only thereafter on 09.08.2001

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and thus, the case is covered against him by the law laid down in **High Court of Punjab and Haryana and others vs. Jagdev Singh**, 2016 (14) SCC 267, wherein in such cases an exception was carved out, to these facts, neither was there any rebuttal by filing replication nor learned counsel appearing for the petitioner was during the course of hearing able to controvert the same or distinguish the above judgment.

3. Moreover, as stated in paras 13 and 14 of the reply, the order in case of Rattan Chand-respondent No.3, who the petitioner stated to be his junior but was drawing higher pay, was rectified and his pay was fixed at par with the petitioner.

4. In view of the above, the present petition being devoid of merits is hereby dismissed.

08.04.2025
ashok

(AMAN CHAUDHARY)
JUDGE

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