



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

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CWP-310-2004 (O&M)

Date of decision: 08.04.2025

Santosh Kaur and Others

....Petitioners

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioners

Mr. Amarpreet Singh Bains, AAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing the respondents not to recover the dearness allowances paid to the petitioners from 14.05.2001, without issuing show cause notice or opportunity being given, thus in violation of principle of nature justice.

2. The Division Bench while admitting the present petition on 09.01.2004, had stayed the recovery.

3. In the index of the petition, reliance had been placed on pendency of CWP-19820-2002 titled as **Jagtar Singh and others vs. State of Punjab and Others**, which now stands disposed of on 01.03.2025 along with two other connected petitions, based on the judgment in the case of **Krishan Kumar Singla vs. State of Punjab and Others**, CWP-11341-2003 decided on 20.09.2010, SLP against which was dismissed on 05.12.2014 and also referring to **Thomas Daniel vs. State of Kerela**, 2022 SCC OnLine SC 536, whereby by relying on **Sahib Ram vs. State of Haryana**, 1995 Supp (1) SCC 18 and **State of Punjab vs. Rafiq**

Masih, (2015) 4 SCC 334, Hon'ble the Supreme Court held that generally, the recovery of amounts paid in excess are impermissible to be effected.

4. Learned State counsel unable to resist disposal of the present petition in terms of the aforesaid.

5. The petition is disposed of in terms of **Jagtar Singh** (supra).

(AMAN CHAUDHARY)
JUDGE

08.04.2025

M.Kamra

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