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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10671-2025 (O&M)

Date of Decision: 07.05.2025

ALAM SINGH

..... Petitioner

*Versus*UTTAR HARYANA BIJLI VITRAN NIGAM LIMITED (UHBVNL)
VIDYUT SADAN AND ORS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Rajesh Gupta, Advocate for the petitioner.

Mr. Prince Singh, Advocate for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of deductions of Rs.6583/- per month w.e.f. December 2024 on account of excess payment.

2. Learned counsel for the petitioner *inter alia* contends that petitioner in 1993 joined respondent as Chowkidar under *ex-gratia* scheme. He was promoted as Bill Distributor on 30.05.1994. He was further promoted as Lower Division Clerk (for short 'LDC') on 27.07.2007. As per letter dated 21.06.1990 (Annexure P-4) of Additional Secretary, HSEB, Panchkula, a person appointed under *ex-gratia* scheme is not required to pass type test if he is matric with 1st or 2nd Division. The petitioner is matriculate with 2nd Division. Despite aforesaid instructions, the respondent issued him show cause notice dated 20.08.2024 (Annexure P-6) raising demand of Rs.5,63,056/- due to non-passing type



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test during 2019-2024. He was paid salary post July’ 2024 after deduction of Rs.9566/- on account of recovery of aforesaid amount. The petitioner cleared type test which was conducted on 29.08.2024. The respondent has restored increments for the post of LDC w.e.f. July’ 2007 to July’ 2018. Increments w.e.f. July’ 2019 to September’ 2024 also stand released. The respondent is still effecting recovery @ Rs.6583/- per month. He has served legal notice dated 18.11.2024 (Annexure P-12) upon respondent with respect to his dues.

3. On being confronted with the fact that till date show cause notice dated 20.08.2024 (Annexure P-6) has not been adjudicated despite reply already filed by petitioner, Mr. Prince Singh, Advocate for the respondent submits that Competent Authority would pass an appropriate order within two months from today and till the adjudication of show cause notice further recovery would not be effected.

4. Mr. Rajesh Gupta, Advocate for the petitioner agrees with aforesaid arrangement.

5. In the wake of statement of both sides, the present petition stands disposed of.

6. Pending misc. application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

07.05.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No