

2025:PHHC:092214



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217 (06 cases)

Date of Decision: 23.07.2025.

(1)

CWP-12787-2019 (O&M).

BIRSAL SINGH AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

(2)

CWP-16935-2019 (O&M).

VED PARKASH AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

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(3)

CWP-18395-2019 (O&M).

GANGA BISHAN AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

(4)

CWP-10663-2020 (O&M).

HARI RAM

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

(5)

CWP-15261-2020 (O&M).

HARI RAM

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

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(6)

CWP-7377-2020 (O&M).

RAJVIR SINGH

...Petitioner(s)

Versus

**STATE OF HARYANA THROUGH ADDITIONAL CHIEF
SECRETARY HARYANA, IRRIGATION DEPARTMENT AND
OTHERS**

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Manoj Chahal, Advocate,
for the petitioner(s) in CWP-12787-2019.

Mr. R.S. Sangwan, Advocate,
for the petitioner(s) in CWP-16935-2019.

Mr. Sourabh Kandoi, Advocate,
Mr. Sunil K. Bhardwaj, Advocate,
for the petitioner(s) in CWP-18395-2019, CWP-7377-2020
and CWP-10663-2020.

None for the petitioner in CWP-15261-2020.

Mr. Rahul Dev, Addl. A.G. Haryana.

Ms. Anu Malika, Advocate, for
Mr. H.S. Oberoi, Advocate, and
Ms. Twinkle Verma, Advocate, for
Ms. Swati Dayalan, Advocate,
for respondent No.5/Accountant General, Haryana.

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VINOD S. BHARDWAJ. J (ORAL).

This order shall dispose of the following 06 writ petitions since they involve a common question of law.

SR. NO.	CWP NO. AND TITLE	IMPUGNED ORDERS SOUGHT TO BE QUASHED
1	CWP-12787-2019 BIRSAL SINGH AND OTHERS VS. STATE OF HARYANA AND OTHERS	Orders dated 15.04.2019 (P-1), 31.04.2019 (P-2) and 04.04.2019 (P-3) vide which the pension of the petitioners was reduced ordering the recovery in lieu thereof passed illegally, arbitrarily and against the principles of natural justice being without any intimation, notice or affording any opportunity of being heard.
2	CWP-16935-2019 VED PARKASH AND OTHERS VS. STATE OF HARYANA AND OTHERS	Orders dated 16.04.2019 (P-1), 29.03.2019 (P-2), 17.05.2019 (P-3) and 29.04.2019 (P-4) vide which the pension of the petitioners was reduced ordering the recovery in lieu thereof passed illegally, arbitrarily and against the principles of natural justice being without any intimation, notice or affording any opportunity of being heard
3	CWP-18395-2019 GANGA BISHAN AND OTHERS VS. STATE OF HARYANA AND OTHERS	Orders (Annexure P-1 to P-12), passed against the petitioners, vide which the pension of the petitioners was reduced, the orders for making recovery from Gratuity and Commutation of pension have been passed, being illegal, arbitrary and against the principles of natural justice and being without any intimation, notice or affording any opportunity of being heard
4	CWP-10663-2020 HARI RAM VS. STATE OF HARYANA AND OTHERS	Orders dated 03/05/2019 (Annexure P-1 to P-3), passed against the petitioner, vide which the pension of the petitioner was reduced, the orders for making recovery from Gratuity and Commutation of pension have been

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		passed, being illegal, arbitrary and against the principle of natural justice being without any intimation, notice or affording any opportunity of being heard and even the bank also issued letter for recovery dated 28/06/2020 (P-5)
5	CWP-15261-2020 HARI RAM VS. STATE OF HARYANA AND OTHERS	Order dated 26/07/2018 (Annexure P-4) whereby the respondent-Department has withdrawn the technical pay scale of Rs.1200-2040/- from the petitioner in terms of the Haryana (Abolition of Distinction of Pay Scale between Technical and Non-Technical Posts) Act 2014.
6	CWP-7377-2020 RAJVIR SINGH V/S STATE OF HARYANA THROUGH ADDITIONAL CHIEF SECRETARY HARYANA, IRRIGATION DEPARTMENT AND OTHERS	Orders dated 03/05/2019 (Annexure P-1 to P-3), passed against the petitioner, vide which the pension of the petitioner was reduced, the orders for making recovery from Gratuity and Commutation of pension have been passed, being illegal, arbitrary and against the principle of natural justice being without any intimation, notice or affording any opportunity of being heard

2 Prayer made in these writ petition(s) is for seeking setting aside of the aforesaid impugned orders vide which the pension of the petitioner(s) was reduced and recovery has been ordered.

3 Learned counsel for the petitioner(s) submit that the controversy in the present writ petition is covered by the ratio of the judgment passed by the Division Bench of this Court in the matter of **Sarbans Singh and others Vs. The State of Haryana and others, CWP No.11710-2014, decided on 25.03.2025** along with other connected

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matters. It is further submitted that at this juncture, the petitioner would be satisfied in case a direction is issued to the competent authority to re-examine the case of the petitioner(s) in terms of the facts pleaded herein as well as the aforesaid judgment passed by the Division Bench of this Court by passing a speaking and reasoned order in accordance with law and in a time bound manner.

4 Learned State counsel submits that the respondent-State has taken a conscious decision to challenge the aforesaid judgment passed by the Division Bench of this Court before the Hon'ble Supreme Court.

5 The present writ petitions pertain to the year 2019 and 2020 and nearly a period of 5 to 6 years have already elapsed. Merely because such a decision, as aforesaid, has been taken by the respondent-State, the same cannot be perceived as a satisfactory reason to keep the present writ petitions pending.

6 Disposed of in terms of the judgment passed in the matter of **Sarbans Singh and others** (supra).

7 Petitioner-Hari Ram has filed two writ petitions i.e. CWP-10663-2020 and CWP-15261-2020. In case the same very relief has been claimed in both the writ petitions, second writ petition i.e. CWP-15261-2020, shall be deemed to have been disposed of as having been rendered infructuous.

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

9 A photocopy of the order be placed on the connected file(s).

July 23, 2025
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No17