

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

109

CWP-15722-2020

Date of Decision : November 03, 2025

KULWANT SINGH AND OTHERS

-PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. G.S. Bal, Sr. Advocate, with
Mr. Dilshad S. Gill, Advocate
for the petitioners.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. In compliance with the directions issued by this Court on 14.10.2025, Mr. J.J. Goel, Chief Engineer, Water Supply and Sanitation Department, Patiala, has appeared in person before this Court today. He submits that an additional affidavit dated 24.10.2025 has already been filed on record. He has also tendered an unconditional apology for the delay in complying with the directions contained in the order dated 21.03.2022.

2. The unconditional apology tendered by the Chief Engineer is accepted and his personal appearance before this Court is hereby dispensed with.

3. Through the instant writ petition, a prayer has been made for the issuance of directions to the respondents restraining them from reducing the salaries of the petitioners, who are/were employed as Pump Operators in the respondent-department. Further, a prayer has been made for the quashing of the recovery proceedings, which were initiated without the

issuance or communication of any written order to that effect.

4. Learned senior counsel for the petitioners contends that neither any show cause notice was ever served upon the petitioners nor any order withdrawing the enhanced pay scale or initiating recovery proceedings was passed or communicated to them.

5. Conversely, learned State counsel submits that post-regularization, the petitioners were erroneously placed in an incorrect pay scale. Accordingly, in terms of order dated 10.12.2019, the enhanced pay scale was rightly withdrawn and consequential recovery proceedings were initiated. It is submitted that the petitioners' services were regularized w.e.f. 24.05.2011 and they were initially placed in the pay scale of ₹5910–20200 + 1900. Thereafter, their pay was fixed at ₹5910–20200 + 2400 as per Finance Department instructions. Subsequently, vide letter dated 04.01.2016 issued by the Superintending Engineer, Water Supply and Sanitation Circle, Ludhiana, the grade pay of ₹ 2400/- was revised to ₹ 2800/- applicable to regular Pump Operators. However, due to inadvertence, the petitioners were wrongly allowed grade pay of ₹ 3200/- instead of ₹2800/-. Upon detection of this error, a revised pay fixation order dated 10.12.2019 was issued, fixing their grade pay at ₹ 2800/- and initiating recovery of the excess amount paid.

6. This Court has heard learned counsel for the parties and perused the record. This Court is of the view that the respondent-department revised the petitioners' grade pay from ₹ 3200/- to ₹ 2800/- without issuing any show cause notice or passing a speaking and reasoned order. Any administrative action adversely affecting the financial interests of employees

must conform to the principles of natural justice, including affording an opportunity of hearing and issuance of a speaking order setting out the reasons for the decision. However, no such exercise appears to have been undertaken in the present case.

7. Consequently, at this stage, the respondent-department is directed not to proceed further with or effect any recovery from the petitioners. The respondent-department shall first issue a show cause notice to the petitioners, consider their reply, afford them an opportunity of hearing, and thereafter pass a speaking and reasoned order. Until such an order is passed, no recovery shall be made from the petitioners. It is expected that, since two of the petitioners have already superannuated, the entire exercise shall be completed within a period of two months from the date of receipt of a certified copy of this order.

8. Disposed of accordingly.

November 03, 2025
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No