



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

**CWP No.24478-2025
Date of Decision: 28.08.2025**

Kashmir Kaur

....Petitioner

VS.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

**Present: Ms. Anju Arora, Advocate
for the petitioner (through VC)**

Mr. Aman Dhir, DAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. On 22.08.2025, the following order was passed by this Court:-

“ The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 19.11.2024 (Annexure P-5) whereby recovery of Rs. 11,85,790/- was ordered to be effected.

ESI Malkit Singh was dismissed from service vide order dated 23.10.2008. The said order came to be challenged before this Court by way of CWP No.2852 of 2011. During the pendency of writ petition, Malkit Singh died and his LRs pursued the matter. This Court set aside dismissal order and granted liberty to State to conduct inquiry in accordance with law. The petitioner filed COCP NO.3244 of 2023 before this Court. During the



pendency of COCP, the respondent passed speaking order dated 24.01.2024. The deceased employee was reinstated and his intervening period was treated as spent on duty. The pensionary benefits were ordered to be disbursed. The petitioner was released retiral benefits.

Now it has come in the knowledge of the respondent that date of dismissal of employee was 23.10.2008 and he completed age of 58 years on 16.03.2012, thus, he was bound to superannuate on 16.03.2012. He was paid excess salary to the tune of Rs.11,85,790/-.

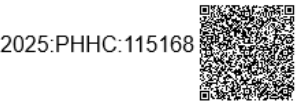
Mr. Aman Dhir, DAG, Punjab, who on advance notice is present in Court, seeks time to produce calculation which prompted Senior Superintendent of Police, Tarn Taran to issue the impugned communication.

Adjourned to 28.08.2025.”

2. Mr. Aman Dhir, DAG, Punjab submits that Director General of Police, Punjab vide order dated 24.09.2024 has modified his order dated 24.01.2024. By order dated 24.09.2024, the petitioner has been granted notional benefits whereas in the earlier order benefits were granted on actual basis.

3. Faced with this, Ms. Anju Arora, Advocate submits that order dated 24.09.2024 has been passed without issuing any notice or granting opportunity of hearing to the petitioner. The order dated 24.01.2024 could not be modified without granting at least opportunity of hearing.

4. To resolve the issue, the petition stands disposed of with a direction to respondent to pass a fresh order, if any, with respect to entitlement of the petitioner for the period from 23.10.2008 to 31.03.2012. The fresh order shall be passed after granting an opportunity of hearing to



the petitioner. The petitioner, at the first instance, in person or through counsel, shall appear before Director General of Police, Punjab on 11.09.2025 at 11.00 a.m. and thereafter as directed by him.

(JAGMOHAN BANSAL)
JUDGE

28.08.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No