



CWP-24393-2025

1

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

(130)

CWP-24393-2025

Date of Decision : 22.08.2025

Harpal Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Kanwaljeet Singh Derabssi, Advocate for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
for respondents No.1 and 2.

Mr. Mahesh Dheer, Advocate and
Mr. Dheeraj Siwach, Advocate
for respondents No.3 and 4-Bank.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant writ petition, cast under Article 226 of the Constitution of India, a challenge is thrown to the order dated 03.07.2025 (Annexure P-2), passed by respondent No.4, where through, the demand notice for recovery of excess pension payment of Rs.9,90,651/-, has been raised against the petitioner.

2. Learned counsel for the petitioner submits that no show cause notice was served to the petitioner, and without complying with the principles of natural justice, the impugned demand has been raised. He further submits that there is no misrepresentation or fraud played by the petitioner, entitling the bank to effect the recovery from the petitioner.

3. Notice of motion.

4. At this stage, Mr. Mahesh Dheer, Advocate, has caused appearance on behalf of the contesting respondents No.3 and 4, accepts notice and waives service. He has filed his memo of appearance today in the Court.



CWP-24393-2025

2

The same is taken on record. He undertakes to furnish duly executed *vakalatnama* in his favour, with the Registry of this Court, within the next two weeks, from the date of passing of this order.

5. He further submits that the instant petition, in fact, is a misconceived motion, as the order of recovery is in fact, a show cause notice issued to the petitioner, and the petitioner should have opted to file reply to the said notice, instead of filing the instant writ petition. He further submits that in case, the petitioner files reply, at this stage, the respondent-Bank would consider her reply, and after affording due opportunity of hearing, the respondent-Bank would pass a speaking order, accordingly.

6. In view of the stand taken by the learned counsel for respondents No.3 and 4, at this stage, this Court, deems it apt to dispose of the instant writ petition, with liberty to the petitioner, to file a detailed reply to the show cause notice, dated 03.07.2025, with the respondent-Bank, within a period of 15 days from today, and thereafter, the respondent-Bank shall take a final decision thereof, and would pass a speaking order, within one month, thereafter, after giving due opportunity of hearing to the petitioner.

7. Needless to say that in case, the speaking order still cause grievance to the petitioner, she can take all the available remedy as available to her in accordance with law, to challenge the said speaking order.

8. It is made clear that till the final decision is taken by the respondent-Bank, no recovery shall be effected from the petitioner.

9. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

August 22, 2025

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