

2025:PHHC:167663



240.

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

CWP-24093-2023

Date of decision: 02.12.2025

Roshan Lal

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Parveen Kumar Garg, Advocate, for the petitioner.

Mr. Surya Kumar, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. The instant petition has been filed by the petitioner under Article 226/227 of the Constitution of India seeking a writ in the nature of certiorari for quashing the order dated 16.03.2023 (Annexure P-2) which has been passed without affording an opportunity of hearing to him.

2. Notice of motion in the present case was issued on 20.10.2023 and it was ordered that no recovery shall be made from the petitioner.

3. Learned counsel for the petitioner submits that while re-fixing the pay of the petitioner, neither any show cause notice nor an opportunity of hearing was granted to the petitioner and the said action of the respondents is in violation of the principles of natural justice.

4. Learned State counsel could not refute the above said contention of the learned counsel for the petitioner.

5. Consequently, the present writ petition is partly allowed. The impugned order dated 16.03.2023 (Annexure P-2) is set aside. However, liberty is granted to the respondents to pass a fresh order after complying with the principles of natural justice and till then, no recovery shall be effected from the petitioner.

(NAMIT KUMAR)
JUDGE

December 02, 2025
sanjeev

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