



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

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**CWP-13901-2001(O&M)
Date of Decision: 21.04.2026**

SURINDER KAUR

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Subhash Ahuja, Advocate
for the petitioner.

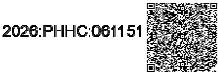
Mr. Aakash Singla, Additional Advocate General, Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the letter/memo dated 28.08.2001, Annexure P-6, whereby the benefit of Junior Science Teacher (JST) grade sanctioned to the petitioner earlier vide letter dated 12.12.1997, has been withdrawn in terms of letter dated 26.10.1999, issued by the Director, Secondary Education Department, and the entire amount of arrears received by her has been ordered to be deposited in the Treasury.

2. Learned State counsel contended that the JST grade was withdrawn in terms of the instructions dated 26.10.1999, which are not under challenge. Besides, she has already attained the age of superannuation and retired from service with effect from 31.07.2004.

3. In view of the facts aforementioned, this Court finds no ground to interfere with the impugned order to the extent the JST grade sanctioned to the



petitioner has been withdrawn. However, in light of the law laid down by the Supreme Court in *State of Punjab and others v Rafiq Masih (White Washer) and others*, (2015) 4 SCC 334, no recovery can be allowed to be effected in terms of the order, since the benefit was granted to the petitioner by the Department on its own and she has retired from service also. Accordingly, the impugned letter/memo dated 28.08.2001 is set aside only to the extent the amount of arrears has been ordered to be recovered from the petitioner.

- 4. The petition stands disposed of in the aforesaid terms.
- 5. Pending miscellaneous application(s), if any, also stand(s) disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

21.04.2026
Ad

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