



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

CWP-11254-2026 (O&M)

Date of decision: 28.04.2026

Ram Lal

....Petitioner

Versus

Punjab State Transmission Corporation Ltd. Patiala and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. H.K. Brinda, Advocate,
for the petitioner.

Mr. G.S. Ghuman, Advocate,
for the respondents.

KULDEEP TIWARI, J. (Oral)

CM-6620-CWP-2026

Application is allowed, subject to all just exceptions.

Annexures R-1 and R-2 are taken on record.

Main case

1) The Audit Notes for the year 2019-2020, which were communicated to the petitioner, vide letter dated 13.10.2021 (Annexure P-6), for effecting recovery of Rs.6,46,630/-, on account of penal rent from the date of his transfer, i.e. 01.09.2012 till 30.09.2019, the date when he vacated the quarter/accommodation, have compelled him to institute the instant writ petition under Article 226/227 of the Constitution of India.

2) Learned counsel for the petitioner submits that neither any enquiry was conducted, nor was any opportunity of hearing afforded to the petitioner before contemplating recovery against him. He further submits that, in fact, the recovery has already been caused from the salary of the petitioner.



- 3) In response, learned counsel for the respondents, while referring to Annexures R-1 and R-2, which are taken on record today itself, submits that an enquiry has been initiated to ascertain the factors/reasons for imposition of the penal rent upon the petitioner.
- 4) This Court has heard the submissions advanced on behalf of the parties, and has also gone through the record.
- 5) Concededly, the respondent-department has initiated enquiry into the matter, vide communication dated 24.04.2026 (Annexures R-1 and R-2). In this view of the matter, this Court has no occasion to refrain itself from observing that the recovery, indeed, was made without granting any opportunity of hearing to the petitioner. Needless to assert that, the recovery, if any, ought to have been given effect to, only after adhering to the principles of natural justice.
- 6) In the wake of the above, the instant writ petition is **disposed of**, with the following directions upon the respondents:-

i) *The recovery, which has been effected from the petitioner, shall be subject to the outcome of the enquiry, which has been initiated, as per Annexure R-2.*

ii) *The enquiry shall be concluded within a period of four months from the receipt of a certified copy of this order, but after affording effective opportunity of hearing to the petitioner.*

iii) *If, after conclusion of the enquiry, the petitioner is found entitled for any refund, on account of excess recovery or otherwise, the requisite amount shall be remitted to him, without any delay.*

(KULDEEP TIWARI)
JUDGE

28.04.2026
Ak Sharma

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