

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

113

CWP-13596-2026

Date of Decision : May 06, 2026

RAMESH CHAND

-PETITIONER

V/S

PUNJAB AND HARYANA HIGH COURT AND ANOTHER

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vikas Chatrath, Sr. Advocate, with
Mr. Abhishek Sharma, Advocate,
Ms. Rishita Kaushik, Advocate, and
Mr. Anirudh Malhan, Advocate
for the petitioner.

Ms. Kushaldeep Kaur, Advocate
for the respondents.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, the petitioner assails the legality of report dated 08.04.2026 (Annexure P-17), order/communication dated 08.04.2026 (Annexure P-18) issued by the Superintendent, Sessions Court, Panipat, and order dated 25.03.2026 (Annexure P-14) passed by the Section Officer, whereby recovery to the tune of ₹5,56,742/- has been directed against the petitioner.

2. Learned senior counsel for the petitioner assails the impugned orders/communications primarily on the ground that the same are vitiated on account of violation of the principles of natural justice.

3. After hearing learned counsel for the parties at some length, this Court had passed the following order on 04.05.2026:-

“Upon being served with an advance copy of the petition, Ms. Kushaldeep Kaur, Advocate, is present on behalf of the respondents.

Having heard the matter at some length, learned counsel for the respondents is directed to have instructions, as to whether, before re-fixing the pay of the petitioner, and taking a decision to effect recovery from him, any show cause notice was issued to him, thereby complying with the principles of natural justice. Adjourned to 06.05.2026.”

4. In compliance with the hereinabove extracted order, learned counsel for the respondents, on instructions, fairly concedes that no show cause notice or opportunity of hearing was afforded to the petitioner prior to passing of the impugned orders/communications. She further submits that the competent authority shall reconsider the matter after issuing a show cause notice and granting due opportunity of hearing, and thereafter pass a fresh order in accordance with law.

5. In view of the statement made on behalf of the respondents, **the instant writ petition is allowed**, and the impugned orders/communications/report are set aside. However, liberty is reserved to the respondents to reconsider the matter afresh after issuing a show cause notice and affording an opportunity of hearing to the petitioner. The said exercise shall be completed within three weeks from the date of receipt of a certified copy of this order. It is expected that, upon receipt of any show cause notice, the petitioner shall file his reply within one week thereafter.

May 06, 2026
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No