



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

CWP-14935-2026

Date of Decision : **25.05.2026**

BALVIR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Ranjit Singh Kalra, Advocate and
Ms. Apurva Walia, Advocate, for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India a challenge is thrown to the order dated 24.11.2025 (Annexure P-11), whereby despite issuing the last pay certificate and depicting no recovery from the petitioner, a recovery of Rs.42,53,452/- has been imposed upon the petitioner, that too, without adhering to the principle of natural justice.

2. This Court vide order dated 14.05.2026, without issuing notice directed the learned State counsel to have instructions and to apprise this Court, as to whether, before passing the impugned order, the compliance of the principles of natural justice, has been made or not?

3. In deference to the above direction, today learned State counsel, on instruction from Mr.Prem Kamal, XEN, fairly concedes that no opportunity of hearing was afforded to the petitioner before passing the impugned order. Instead, on the representation of the petitioner, an

order dated 19.05.2026, has been passed, whereby recovery amount, has been reduced to Rs.15,75,350/-. A copy of the order dated 19.05.2026, is taken on record as Mark 'A'.

4. This Court again put a specific query to the learned State counsel, as to whether, the order dated 19.05.2026, has been passed after giving due opportunity of hearing to the petitioner or not, to which, he again, on instructions, fairly concedes that no such opportunity was afforded to him before passing the said order.

5. In view of the above honest admission, made by learned State counsel, this Court finds, that both the orders, i.e. the impugned order dated 24.11.2025, and the order dated 19.05.2026, which was passed during the pendency of the instant petition, do not pass the test of legality, as there is a gross infraction of principle of natural justice. Therefore, both the aforesaid orders are **set aside**. However, the respondent-department is granted liberty to reconsider the case of the petitioner, afresh and take final decision thereon, by passing a speaking order, after giving due opportunity of hearing to the petitioner.

6. Considering the fact that the retiral benefits have been withheld by the respondent-department, a positive *mandamus* is passed upon the latter, to conclude the aforesaid exercise, within a period of two months, from the date of receipt of a certified copy of this order.

7. **Disposed of** accordingly.

May 25, 2026

dharamvir

(KULDEEP TIWARI)
JUDGE

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