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AT CHANDIGARH**

**CWP-26098-2025**  
**Date of decision: 21.01.2026**

**SURJIT SINGH**

**....Petitioner**

**Versus**

**THE PUNJAB STATE POWER CORPORATION LIMITED AND  
OTHERS**

**....Respondents**

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present:     Mr. Baljeet Singh Sidhu, Advocate  
                 for the petitioner.

                 Mr. Bhanu Partap Singh, Advocate  
                 for respondents No.1 to 7.

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**HARPREET SINGH BRAR, J (Oral):**

1.             The instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned order No.65 dated 03.04.2025 (Annexure P-2) passed by the respondent-Department.

2.             Learned counsel for the petitioner contends, inter alia, that the petitioner retired as a Revenue Superintendent from the respondent-Corporation on 31.12.2015. His last drawn basic pay was Rs. 36,610/-, and accordingly, his pension was fixed at Rs. 18,305/-. Without issuing any prior show-cause notice or affording an opportunity of hearing to the petitioner, the respondent-Corporation unilaterally reduced the petitioner's pension effectively from November 2023, fixing it at Rs. 17,880/- per month. Furthermore, the Corporation commenced a recovery of Rs. 5,700/- per month for the period from November 2020 to February 2021, resulting



in a deduction of Rs. 22,772/-. An additional amount of Rs. 37,656/-, pertaining to the period from 01.01.2016 to 31.01.2019, was recovered from the petitioner's pension from November 2023 to April 2024. Subsequently, following a speaking order (Annexure P-2) passed by the respondent-department, an amount of Rs. 1,51,157/- was refunded to the petitioner. The petitioner prays for the restoration of his pension based on his last drawn pay and for the refund of the entire recovered amount with interest.

3. Learned counsel for the petitioner relies upon the instructions issued by the Government of Punjab, Department of Finance, vide circular letter dated 09.02.2016 (Annexure P-6). This circular references a Notification dated 28.08.2015 concerning the recovery of excess payments made by the employer, in light of the judgment rendered by the Hon'ble Supreme Court in ***State of Punjab vs. Rafiq Masih (White Washer) and others***. The circular observes as under:

*"In the event of excess payment the amount shall  
be recovered from the person directly or indirectly  
responsible for the excess payment."*

4. Per contra, learned counsel for the respondents submits that the petitioner has already been paid the entire admissible amount of Rs.1,51,157/- and no further benefit is due. It is further submitted that no amount remains payable to the petitioner by the respondent-Corporation.

5. Learned State counsel submits that the controversy involved in



the present case can be referred to the Empowered Committee constituted by the Government of Punjab under its litigation policy.

6. I have heard learned counsel for the parties and perused the case record with their able assistance. It transpires that the amount due and the refunded amount has been disputed with respect to the difference in amount, by the petitioner. As such, the issue involved in the present petition is required to be decided after examining the accounts of the petitioner and requires adjudication of the factual dispute. As such, present petition is required to be disposed of with a direction to the High Empowered Committee headed by Chief Secretary to consider and treat this writ petition as comprehensive representation and decide the same by passing a reasoned speaking order.

7. This Court, vide order dated 20.03.2025 passed in **CWP-7727-2025** titled ***Paramjit Kaur Vs. State of Punjab and others***, issued certain directions and in compliance thereof, the Government of Punjab has constituted an Empowered Committee vide letter dated 16.04.2025. The said Committee was established under the Punjab Dispute Resolution & Litigation Policy, 2020, which aims to encourage the swift resolution of disputes, reduce future litigation, and address the considerable backlog faced by the Courts.

8. In view of the above, present petition is disposed of in the following terms:

- (i) The Empowered Committee constituted under the Punjab Litigation Policy is hereby directed to treat the present writ



petition as a comprehensive representation and to consider and adjudicate upon the issue raised herein. In the alternative, the petitioner shall be at liberty to submit a detailed representation setting out his claim within a period of four weeks from the date of receipt of a certified copy of this order.

- (ii) The Committee shall pass a reasoned and speaking order, after granting an opportunity of personal hearing to the petitioner, within a period of four months from the date of receipt of certified copy of this order, or from the date of receipt of the representation of the petitioner, as the case may be.

9. Further, the decision taken by the Committee shall be conveyed to the petitioner.

10. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to him forthwith.

11. The pending miscellaneous application(s), if any, shall also be disposed of.

(HARPREET SINGH BRAR)  
JUDGE

21.01.2026  
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- 1. Whether speaking/ reasoned : Yes /No
- 2. Whether reportable : Yes /No