



**CWP-4946-2018 & connected cases 1**

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

**(261) CWP-4946-2018  
Date of Decision : March 11, 2025**

**Food Corporation of India Workers Union .. Petitioner**

**Versus**

**Food Corporation of India and another .. Respondents**

**(2) CWP-12627-2018**

**Mahinder Singh and others .. Petitioners**

**Versus**

**Presiding Officer, Central Government Industrial Tribunal-cum-  
Labour Court and others .. Respondents**

**(3) CWP-19339-2018**

**Shama Singh .. Petitioner**

**Versus**

**Food Corporation of India and others .. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Deepak Verma, Advocate, for the petitioner  
in CWP-4946-2018.

None for the petitioner in CWP-12627-2018.

Mr. Ranjit Sharma, Advocate, for the petitioner  
in CWP-19339-2018.

Mr. Anurag Jain, Advocate,  
Ms. Chahat, Advocate and  
Mr. Rahul Choudhary, Advocate, for respondents No. 1 & 2.

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1. By this common order, three writ petitions, the details of which have been given in the heading, are being disposed of as all these petitions involve the same question of law on similar facts.

2. Learned counsel for the parties agree that in the present writ petitions, the challenge was to the Circular dated 17.08.2016 (Annexure P-1) vide which, recovery of excessive incentive wages was being made from the members of the petitioner-Union.

3. Learned counsel for the parties further agree that as per the additional affidavit dated 29.01.2020, the instructions had already been given to the competent authority that the refund should be given to the retired/service departmental personnel from whom recoveries have been effected in pursuance to the Circular No. 08/2016 dated 17.08.2016 and 01/2017 dated 17.01.2017, to be reconsidered as per the fresh decision taken vide letter dated 29.08.2019.

4. Learned counsel for the petitioner submits that the petitioner will avail the said remedy by filing appropriate representation before the authorities concerned so as to seek the refund as per the letter dated 29.08.2019.

5. Learned counsel for the respondent-FCI submits that in case any such claim/representation of refund is sought by the petitioner(s), the same will be considered in light of the letter dated 29.08.2016 and in case, the petitioner is found eligible and refund has not already been made to them, appropriate order on the claim of the petitioner(s) will be passed granting the benefit of refund to the petitioner(s) otherwise due reasons will

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be mentioned in the speaking order to be passed for not accepting the claim of the petitioner(s) as to why the same is not covered as per the letter dated 29.08.2019 for their information and necessary action.

6. Learned counsel for the petitioner(s) submits that keeping in view the statement of learned counsel for the respondent-FCI, the present writ petitions may kindly be disposed of having been not pressed any further with liberty to the petitioner(s) to file appropriate representation with the respondents.

7. Ordered accordingly.

8. Civil miscellaneous application pending if any, also stands disposed of.

9. A photocopy of this order be placed on the file of other connected cases.

**March 11, 2025**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No