



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

130

CWP-6128-2025
Date of Decision: 11.03.2025

Raj Kumar

.....Petitioner(s)

Versus

Haryana Shehari Vikas Pradhikaran and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Nitin Sherwal and Mr. Satish Goel, Advocates,
for the petitioner.

Mr. Arvind Seth, Advocate,
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of orders dated 18.04.2024 (Annexure P-4) and 02.12.2024 (Annexure P-5) whereby respondent has reduced his pension and created demand with respect to his past service.

2. The petitioner retired from the office of respondent on 31.10.2019. He was sanctioned pension as well as other retiral dues. The respondent by impugned orders has refixed his pay as well as pension entailing reduction of pension and demand *qua* past period.

3. Mr. Arvind Seth, Advocate expressed his inability to controvert applicability of judgment of Supreme Court in *State of Punjab and others vs. Rafiq Masih (White Washer) and others, (2015) 4 SCC 334* to the instant case, with respect to recovery of past payment, however, submits that competent authority has refixed his pension as per his entitlement. The respondent has



passed detailed order dated 07.03.2025 and petitioner is free to file his objections which would be considered and he would also be granted opportunity of hearing if asked by him.

4. In the wake of statement of Mr. Seth, the recovery of past period is hereby set aside. It is made clear that respondent shall not recover any amount with respect to past period and recovery, if any already made, shall be restored. With respect to pension, the petitioner is at liberty to file his objections and seek opportunity of hearing. If he files objections within one month from today, the competent authority shall pass a speaking and reasoned order within one month thereafter.

5. Disposed of.

11.03.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No