



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

(218)

CWP No.37417-2019

DATE OF DECISION: 03.05.2025

Jai Singh Dahiya

.....Petitioner

VERSUS

State of Haryana and others

.....Respondents

CORAM HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present Mr.S.P.Chahar, Advocate, for the petitioner.

Mr.Sharan Sethi, Addl. AG, Haryana.

Mr. Vikas Chatrath, Advocate, for respondent no.6.

VINOD S. BHARDWAJ, J (ORAL)

1. The instant petition has been filed praying for direction to the respondents to quash the order/letter dated 30.11.2018 (Annexure P-6), passed by respondent no.2 – Engineer in Chief, Public Health Engineering Department, Haryana, whereby the pension payable to the petitioner was re-fixed and a recovery had been ordered withdrawing a sum of Rs.1,93,431/- on 09.07.2019 from the bank account of the petitioner without issuing any order of recovery and without issuing any show cause notice or providing any opportunity of hearing.

2. Counsel for the petitioner contends that the petitioner joined the services of the respondents - department on 27.08.1981 and Superannuated on 30.06.2012 from the post of Junior Engineer. It is contended that the petitioner along with other employees had filed CWP No.16743-2001 for directing the respondents - department to remove the anomaly in the pay scales of Junior Engineers and to grant higher pay scale w.e.f 01.01.1986, which was allowed vide order dated 11.04.2008 in view of the relief granted



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by this Court to similarly situated persons in CWP-15532-1994 titled as **Jagdeep Singh and others v. State of Haryana**, decided on 13.08.1999. In execution thereof, the pay of the petitioner was revised w.e.f 01.01.1986.

3. Learned counsel for the petitioner contends that the respondents, however, withdrew a sum of Rs.1,93,431/- from the account of the petitioner without his knowledge on account of an alleged excess payment of Rs.39,897/- towards the DCRG and excess pension of Rs.1,53,534/-. It is submitted that the petitioner specifically places reliance upon **CWP-30181-2019** filed by similarly placed employees of the respondents - department titled **S.N.Sharma and others v. State of Haryana and others**, that the said writ petition has been disposed of vide judgment dated 05.12.2024, whereby, the action of the respondents and the effected recovery had been held to be bad and the respondents – department has been directed to reimburse the deduction already made.

4. Counsel for the respondent – State is not in a position to controvert the above said judgment having been passed by a Co-ordinate Bench of this Court.

5. Under the following circumstances, the present petition is disposed of in terms of the judgment dated 05.12.2024, passed in CWP No. 30181 of 2019, titled **S.N.Sharma and others v. State of Haryana and others**, decided on 05.12.2024.

03.05.2025
mamta

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No