

HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CWP No.6834 of 2011 (O&M)

Date of Decision: 31.01.2012

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Lok Nath Sharma

. . . . Petitioner

VS.

State of Punjab & Ors.

. . . . Respondents

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CORAM : HON'BLE MR.JUSTICE SURYA KANT

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*1. Whether Reporters of local papers may be allowed to see the judgment?*

*2. To be referred to the Reporters or not?*

*3. Whether the judgment should be reported in the Digest?*

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Present: Mr. SK Rattan, Advocate for the petitioner

Ms. Monica Chhibber Sharma, DAG Punjab

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**SURYA KANT, J. (ORAL)**

(1). The petitioner who retired as Lecturer in Hindi from the Education Department, Government of Punjab is aggrieved by the orders dated 08.06.2006 & 11.02.2009 (Annexures P4 & P5, respectively) whereby the benefit of increment(s) granted to him on acquiring the qualification of M.Ed. has been withdrawn and consequential recovery of Rs.1,87,492/- is sought to be effected.

(2). As far as the recovery is concerned, learned counsel for the parties are *ad idem* that the issue stands answered in favour of the petitioner by a Full Bench decision of this Court in **Budh Ram v State of Haryana & Ors. 2009[3] PLR, 511.**

- (3). Consequently, the recovery order(s) is/are hereby quashed. Recovery, if any effected from the petitioner, shall be refunded to him within a period of *four months* from the date a certified copy of this order is received.
- (4). As regards the petitioner's claim for restoring the benefit of increment(s), as stated above, this Court vide order dated 02.03.2010 passed in ***CWP No. 16323 of 2008 [Smt. Sudarshana Devi & Anr. V State of Punjab & Ors.]*** has constituted an Officers' Committee to look into such like claims which essentially require verification of the facts. The writ petition *qua* the afore-stated relief, is accordingly disposed of by relegating the petitioner to the Officers' Committee, who shall consider the same in accordance with the Rules/Government instructions and shall make appropriate recommendations after hearing the petitioner in person, if so required.
- (5). The needful shall be done within a period of *four months* from the date a certified copy of this order is received.
- (6). Till the Committee takes any appropriate decision, the petitioner shall continue to draw his retiral benefits as per the reduced/re-fixed pay.
- (7). **Dasti.**

**31.01.2012**  
vishal shonkar

**(SURYA KANT)**  
**Judge**