

Jhabe Ram v. HPTDCL and Anr.

CWP No. 41 of 2024

30.12.2025 Present: Mr. Onkar Jairath, Advocate, for the petitioner.
Mr. Gunjan Sharma, Advocate, for respondent No.1.
Mr. Rahul Mahajan, Advocate, for respondent No.2.

Since this Court is convinced that sum of Rs. 5,11,495/-, credited in the PF Account of the petitioner in excess was not on account of his misrepresentation coupled with the fact that petitioner is ready and willing to refund the aforesaid amount, respondent No.2 is estopped from claiming interest upon the same.

Otherwise also, by now it is well settled that no recovery can be effected from Class-III and Class-IV employees, especially when amount, otherwise sought to be recovered, is not received by the petitioner on account of any misrepresentation.

Learned counsel for the petitioner states that he is ready and willing to pay Rs. 5,11,495/-, but without interest. Learned counsel for respondent No.2, prays for and is granted one week time to have instructions.

List on **5.1.2026**.

December 30, 2025
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**(Sandeep Sharma),
Judge**