



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

CWP-14517-2026 (O&M)

Date of decision: 11.05.2026

Anita Kumar

....Petitioner

Versus

Union Territory Chandigarh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Shilak Ram Hooda, Advocate,
for the petitioner.

KULDEEP TIWARI, J. (Oral)

1) The petitioner, by filing the instant writ petition under Article 226/227 of the Constitution of India, seeks quashing of the recovery order/notice dated 13.02.2026 (Annexure P-3), vide which, a recovery of Rs.4,33,811/- as regards the government accommodation allotted to her, has been ordered.

2) Learned counsel for the petitioner submits that, though a representation dated 25.02.2026 (Annexure P-4) was submitted by the petitioner to withdraw of the impugned recovery notice, for the reasons set out therein, till date, no action has been taken thereon. He further submits that prior to issuing the impugned recovery notice, the petitioner was neither issued any show cause notice, nor was afforded any opportunity of hearing.

3) Notice of motion.

4) Ms. Madhu Dayal, Additional Standing Counsel, along with Ms. Sahil Garg, Panel Counsel, accepts notice on behalf of respondents No.1 and 2, and Mr. Neeraj Gupta, Additional Advocate General, Haryana, accepts notice on behalf of respondent No.3.

5) Having heard learned counsel for the parties at length, and examining the record, this Court is of the considered opinion that the impugned recovery notice has been issued in a sheer violation of the



principles of natural justice. Neither the petitioner was issued any show cause notice, nor was she afforded an opportunity of hearing to put forth her response to the impugned notice. So much so, even the representation submitted by her, has not been taken cognizance of. In such circumstances, it is evident that the authorities concerned have unilaterally issued the impugned notice, thereby imposing penal rent.

6) In the wake of the above, the impugned notice/order 13.02.2026 (Annexure P-3) is set aside, on account of non-adherence of principles of natural justice. Consequently, a Mandamus is passed upon respondent No.2 to pass a fresh order, after considering the representation submitted by the petitioner, and affording her due opportunity of hearing, but within a period of six weeks from today.

7) The writ petition is **disposed of**, in the above terms.

(KULDEEP TIWARI)
JUDGE

11.05.2026

Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No