



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

CWP-26937-2021

Date of Decision:13.05.2026

MANOJ KUMAR

.....Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Nisha Malik, Advocate,
for the petitioner (through V.C.)

Mr. Bhupender Singh, Addl.AG, Haryana.

Mr. B.S.Khehar, Advocate,
for respondent no.2.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, cast under Article 226/227 of the Constitution of India, a challenge is thrown to the order dated 07.10.2021 (Annexure P-2), whereby, certain benefits, as were given to the petitioner, are ordered to be withdrawn, and a direction has been passed upon the petitioner to deposit the excess drawn amount of Rs.99,668/- into the Government Treasury. Failing which the respondent no.2, shall initiate recovery proceedings against him.

2. The sole ground upon which, the challenge is thrown to the order (*supra*) is that, before passing such order, neither any show cause notice was issued, nor any opportunity of hearing, was afforded to petitioner.



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3. This Court vide order dated 11.05.2026, had passed the hereinafter extracted order:-

“On the request of learned counsel for respondent No.2, the matter is adjourned to 13.05.2026.

To be shown in the urgent list.

On the next date of hearing, learned counsel for respondent No.2, shall apprise this Court, as to whether, the impugned order (Annexure P-2), was preceded by any show cause notice/opportunity of hearing to the petitioner, or not?

Interim order to continue, till the next date of hearing. ”

4. Learned counsel for respondent no.2, on instructions from Mr. Rajesh Dahiya, Section Officer, District Court, Rohtak, fairly, concedes, that neither any opportunity of hearing nor any show cause notice, was extended to the petitioner.

5. In view of the above specific admission made on the part of respondent no.2, the impugned order, does not pass the test of legality, therefore, warrants interference by this Court. Accordingly, the impugned order, is hereby, **set aside**. However, liberty is reserved to the respondent no.2, to issue a fresh show cause notice to the petitioner, and only after affording due opportunity of hearing to him, proceed to take a final decision, as per law.

6. **Disposed of** accordingly.

7. All pending application(s), if any, also stand **disposed of** accordingly.

May 13, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No