

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: 19.01.2015
CWP No.805 of 2015(O&M)

Raj Singh

...Petitioner

Versus

The Punjab State Warehousing Corp. and anr....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: - Ms. Jagdeep Bains, Advocate
for the petitioner.

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HARINDER SINGH SIDHU,J(ORAL)

The petitioner is the official of the Punjab State Warehousing Corporation – respondent. Recovery is being effected from him due to less storage gain in wheat stocks delivered at State Warehouses during different periods. His appeal against the order of recovery is pending adjudication before the Appellate Authority.

By filing this writ petition, he has challenged the recovery proceedings and has also prayed for issuance of a writ in the nature of mandamus directing the Appellate Authority to consider the application for interim stay and to decide his appeal expeditiously.

Learned counsel for the petitioner submits that the petitioner has been fastened with the liability vide order dated 23.11.2011 and it has been directed that amount of recovery be deducted from his retirement dues and balance, if any, shall be recovered by filing recovery suit against him. The grievance of the petitioner is that neither the appeal nor the application for stay filed by him against the said order have been decided by the Appellate Authority.

Learned counsel has submitted that, at this stage, the petitioner would be satisfied in case the appeal and the application for stay filed by him are decided by the Appellate Authority within a reasonable time.

Considering the aforesaid facts, the present petition is disposed of with a direction to respondent No.2 – Appellate Authority to dispose of the appeal filed by the petitioner as expeditiously as possible and in any case not later than six months, from the date of receipt of a certified copy of this order. It is also directed that the Appellate Authority shall consider the application for interim stay. Till the decision on the said application, no recovery shall be effected from the petitioner.

19.01.2015
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(HARINDER SINGH SIDHU)
JUDGE