

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

Sr. No.120

CWP No.9869 of 2015

Date of decision: 18.05.2015

Madan Mohan Thatai

....Petitioner

versus

Punjab State Warehousing Corporation and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vivek Sethi, Advocate, for the petitioner.

DEEPAK SIBAL, J. (Oral)

Learned counsel for the petitioner submits that at this stage, he would be satisfied if the present writ petition is disposed of with a direction to respondent no. 2 to take a decision on the Appeal dated 29.07.2011 (Annexure P-26), filed by the petitioner against the order dated 07.06.2011 passed by the Managing Director of the respondent-Punjab State Warehousing Corporation (hereinafter referred to as the 'Corporation') through which penalty of recovery of ₹ 27,34,082.49 was imposed upon the petitioner.

I find the prayer made by learned counsel for the petitioner to be reasonable.

Accordingly, at this stage, without commenting on the merits of the case, the writ petition is disposed of with a direction to respondent no. 2 to take decision on the above said Appeal dated 29.07.2011 (Annexure P-26), filed by the petitioner, by passing a speaking order and after affording opportunity of hearing to the petitioner, preferably within four months from the date of receipt of a certified copy of this order.

Since the order appealed against has been passed by the Managing Director of the respondent-Corporation, it is made clear that in the process of deciding the appeal, the Managing Director shall not participate.

Needless to add that the decision so taken be communicated to the petitioner and if the decision is not to the satisfaction of the petitioner, he would be at liberty to challenge the same, in accordance with law.

(DEEPAK SIBAL)
JUDGE

May 18, 2015
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