

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

**RSA No. 2887 of 2013 (O&M)
Decided on : 30.03.2015**

Avtar Singh

... Appellant

Versus

State Warehousing Corporation and another

... Respondents

CORAM : HON'BLE MR.JUSTICE RITU BAHRI

Present : Mr. Dharampal, Advocate
for the appellant.

Mr. Rakesh Gupta, Advocate
for the respondents.

RITU BAHRI, J. (Oral)

CM-7685-C-2013

There is a delay of 415 days in filing the RSA.

For the reasons mentioned in the application, the delay of
415 days in filing the RSA is condoned.

CM stands disposed of.

RSA-2887-2013

Learned counsel for the parties refer to the order dated 23.02.2012 passed by the lower Appellate Court, whereby the respondent-corporation was given an opportunity to decide the appeal of the appellant-Avtar Singh against the order dated 27.08.2002 afresh within a period of three months.

While passing this order, the impugned order passed by the Managing Director who was a member of the Board has decided the appeal against the order. Hence, he could not be member of the Board

and his appeal against the impugned order. While passing this order, the lower Appellate Court has decreed the suit of the respondent-corporation as well. Decree passed by the lower Appellate Court to that extent is being opined as after passing of the judgment and decree dated 23.02.2012, vide order dated 14.10.2013 (Annexure R-2), the Special Secretary, Punjab State Warehousing Corporation has passed a final order on the appeal filed by Avtar Singh, after giving due opportunity to him. After passing of this order, the present appellant has a remedy to take an alternative remedy in accordance with law, if so advised.

RSA disposed of.

March 30, 2015
Naveen

(RITU BAHRI)
JUDGE