

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

CWP No. 20233 of 2010 (O & M)

Date of decision: 12.01.2016

Arpinderjit Singh

....Petitioner(s)

Versus

Punjab State Civil Supplies Corporation Ltd. and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. D.S. Rawat, Advocate,
for the petitioner.

Mr. I.S. Sidhu, Advocate,
for the respondents.

G.S.SANDHAWALIA, J. (Oral)

The petitioner is aggrieved against the non-payment of his
retiral benefits.

During the pendency of the writ petition, the order dated
02.10.2014 (Annexure P-10) came to be passed by the Managing Director
of the Corporation wherein, 1/3rd of a sum of ₹41,88,149/- was computed as
loss to the Corporation on account of the inaction of the petitioner, who was
the Deputy District Manager (Accounts) and who had retired on 30.06.2008.
The amount sought to be recovered is on account of the fact that certain
payments were due from Food Corporation of India (FCI) which had not
been persued by the petitioner during his posting at Moga and the payment
was made from the FCI on various dates late which led to the loss of
interest, which has now been quantified against the petitioner and his retiral
dues are sought to be adjusted. It is the case of the petitioner that even a

civil suit has now been filed for the recovery of the balance amount.

Counsel for the petitioner submits that thereafter, in view of the appeal provided under the requisite rules/regulations, he has filed an appeal before the Chairman of the Corporation, which is now pending for hearing. It is submitted that it is a case of retiral dues and the petitioner is on the verge of starvation on the account of a period of almost 8 years having been passed by and, therefore, the appeal be decided within a fixed time frame.

Counsel for the respondents had taken time to seek instructions on the last date of hearing and today, has informed this Court that the appeals are being heard seriatim wise and the petitioner's appeal is at Sr. No. 306. Appeals upto Sr. No. 182 have been heard and decided.

Keeping in view the above facts and circumstances and in view of the fact that the counsel for the petitioner submits that there are instructions dated 11.08.2009 (Annexure P-9) in his favour on the basis of which, the punishment order is not justified. Accordingly, this Court is of the opinion that the appeal of the petitioner should be heard out of turn by the Chairman specially keeping in view the fact that the petitioner retired way back on 30.06.2008 and the punishment order was only passed on 02.10.2014 during the pendency of the present writ petition.

Accordingly, a direction is issued to the Chairman of the Corporation to decide the appeal of the petitioner within a period of four months from the date of receipt of certified copy of the order. The petitioner be given a personal hearing to convince the appellate authority that he has not at fault.

The writ petition stands accordingly disposed of.

12.01.2016
shivani

(G.S. SANDHAWALIA)
JUDGE