

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

**Civil Writ Petition No. 12307 of 2018 (O&M)
Date of Decision: 23.05.2018**

Anil Kumar and another

..... Petitioners

Versus

The Punjab State Cooperative Supply & Marketing
Federation Ltd., 'MARKFED' and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Shiv Kumar, Advocate
for the petitioners.

Mr. Vinod Sharma, Senior Panel Counsel
for the respondents-MARKFED.

JASWANT SINGH, J. (ORAL)

Both the petitioners, namely, Anil Kumar and Swaran Singh are working as Salesmen with MARKFED. On conclusion of common disciplinary proceedings, a minor penalty of recovery of Rs. 40 lacs in equal shares has been imposed upon them by the Disciplinary/Appointing Authority, vide order dated 28.03.2018 (**Annexure P-2**). Both the petitioners are stated to have filed the statutory appeal(s) alongwith application(s) seeking stay of the recovery.

The grievance of the petitioners is that the application(s) for stay have not been taken for hearing by the Appellate Authority and the department is proceeding to effect proportionate recoveries from the monthly salaries of the petitioner @ 60%.

Notice of motion was issued for today.

Learned counsel for the respondents-MARKFED concedes that the statutory appeals have been filed and the same would be decided within three months.

In view of the aforesaid stand of the counsel for respondents, the **present petition is disposed of** with the directions that the statutory appeals pending before the Appellate Authority shall be decided within a period of next six months from the date of receipt of the certified copy of this order and till then, no recoveries from the salaries of the petitioner shall be effected. The recovery, if already effected, shall be refunded to the petitioners forthwith.

May 23, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>