

**CWP No.14001 of 2018
DECIDED ON: MAY 30, 2018**

TARSEM SINGH

.....PETITIONER

VERSUS

PUNJAB STATE WAREHOUSING CORPORATION AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. J.P. Rana, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226 and 227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondent No.2/Appellate Authority to decide the Statutory Appeal dated 05.01.2015 filed by him (P-4) against the order dated 02.12.2014 (P-3) passed by respondent No.1.

2. Undisputably, an appeal was preferred by the petitioner against the order dated 02.12.2014 (P-3) passed by respondent No.1 on 05.01.2015 before the respondent No.2/Appellate Authority and a period of more than 3 years has expired but till date no final decision in the afore-said appeal has been taken. Here it would be pertinent to mention that non disposal of afore-said appeal for a period of more than 3 years from the date of its institution is nothing but a clear cut violation of Punjab Government Circular letter No. 3/5/97-2PPH/4598,

dated 03.03.1997, which was issued in pursuance of judgment delivered by this Court in CWP No. 19525 of 1996.

3. A glance at the afore-said instructions transpires that appeals/review petitions preferred by the Government employees are to be disposed of within a period of three months from the date of issue of these instructions but in the case in hand there is no adherence to the afore-said instructions.

4. Without expressing much on the matter, instant petition is disposed of with a direction to respondent No.2 to decide the appeal preferred by the petitioner on 05.01.2015 (P-4) against the order dated 02.12.2014 (P-3), within a period of three months from the date of receipt of certified copy of this order, that too after affording an ample opportunity of hearing to the parties. In case of non-compliance of afore-said direction, petitioner shall be at liberty to have recourse to other remedies available under law including to approach this Court.

MAY 30, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>