

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

CWP No.18198 of 2018

Date of Decision:-26.07.2018

Gurdarshan Singh.

.....Petitioner.

Versus

**The Punjab State Cooperative Suply & Marketing Federation Ltd.
'MARKFED' & Anr.**

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Shiv Kumar, Advocate for Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner while working as Branch Incharge, Sri Muktsar Sahib along with another employee-Salesman was chargesheeted for being responsible for causing damage to the Wheat stocks due to his negligence to the tune of Rs.12,56,10,606/-. Inquiry Officer submitted an inquiry report dated 21.03.2017 holding the petitioner and the salesman guilty of the charges. However, the actual loss was to be ascertained after the disposal of the damaged stocks. Thereafter after following the procedure a punishment order dated 08.03.2018 (P-4) was passed whereby the punishment of stoppage of four annual grade increments with cumulative effect along with recovery of the aforesaid amount of loss was ordered to be recovered from the petitioner. Petitioner thereafter filed the statutory appeal under Rule 14 of the MARKFED (Punishment & Appeal Rules)1990 before the MD on 11.04.2018 along with an application seeking stay of recovery, which are stated to be pending.

The grievance of the petitioner is that the MARKFED has proceeded to effect proportionate recoveries from the monthly salary of the petitioner to the extent of Rs.22,000/- per month without the Appellate Authority deciding the application for stay or deciding the appeal within the stipulated three months as per instructions dated 3.3.1997 (duly adopted by MARKFED).

Notice of motion.

On the asking of the Bench, Mr. Vinod Sharma, Senior Panel Counsel, MARKFED, accepts notice on behalf of both the respondents and states that he has instructions to say that the pending statutory appeal filed by the petitioner will be decided within four months from today.

In view of the aforesaid stand of the Counsel for the respondents, the **present petition is disposed of** with the **directions** that the statutory appeal filed before the Appellate Authority shall be decided within a period of next four months from the date of receipt of certified copy of this Order. No future recoveries till then shall be effected from the salary of the petitioner.

Counsel for the petitioner has supplied requisite number of copies of the writ petition to the counsel for the respondents during the course of the day.

(JASWANT SINGH)
JUDGE

July 26, 2018
Vinay

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