

**CWP No. 30080 of 2017
DECIDED ON: JANUARY 09, 2018**

TARSEM SINGH

.....PETITIONER

VERSUS

THE PSWC AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Dr. Surya Parkash, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondent No.2 to decide the revision petition dated December 14, 2015 (P-1) expeditiously in a time bound manner.

2. During the course of arguments, it has been pointed out by learned counsel for the petitioner that the petitioner was charge sheeted on July 05, 2004 in which respondent-Corporation vide order dated December 08, 2006 (P-3) imposed punishment upon him along-with recovery for an amount of ₹78,59,455-56/- against which petitioner preferred a departmental appeal on January 20, 2007 (P-4). However, the said appeal was not decided, rather respondent-corporation preferred a civil suit on April 13, 2007 before the Civil Judge (Sr. Division), Gurdaspur for the recovery of the afore-said amount

along-with interest. The said suit was decreed vide judgment and decree dated March 19, 2014 against which Civil Appeal No. 448 of 2014 was filed by the petitioner before the learned District Judge, Gurdaspur, which is still pending.

3. He further contends that earlier petitioner approached this Court by filing CWP No. 20517 of 2014 for issuance of direction to the Executive Committee-cum-Appellate Authority to decide the statutory appeal dated January 20, 2007 expeditiously and in pursuance of direction issued by this Court vide order dated October 01, 2014 the said appeal was disposed of vide order dated November 17, 2015 (P-2) passed by the Appellate Authority. Aggrieved against the afore-said order dated November 17, 2015 (P-2), petitioner preferred a CWP No. 6166 of 2016 before this Court, which is pending adjudication. Despite of the afore-said litigation and facts, petitioner also preferred a revision petition against the order dated November 17, 2015 (P-2) before the Chairman, Punjab State Ware Housing Corporation, Chandigarh, which has not so far been finalised.

4. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the revision petition preferred by the petitioner against the order dated November 17, 2015 (P-2) within a time bound manner.

5. It is evident from the facts and circumstances narrated above that charge sheet was served upon the petitioner on July 05, 2004 regarding which the proceedings are still pending, even after the expiry of period of more than a decade for one reason or the other.

6. Taking into consideration the afore-said aspects and considering the delay, instant petition is disposed of with a direction to respondent No.2 to take

up the revision petition preferred by the petitioner against the order dated November 17, 2015 (P-2) and to decide the same as early as possible but not beyond a period of four months from the date of receipt of certified copy of this order.

7. However, if petitioner still feels aggrieved by any order of the afore-said authorities, he shall be at liberty to approach this Court.

JANUARY 09, 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>