

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

CWP No.4985 of 2019
Date of decision:-25.02.2019

Amar Singh and another

.....Petitioners

versus

The Punjab State Supply & Marketing Federation Limited and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Ms. Jagdeep Bains, Advocate for the petitioners.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioners who were serving on the post of Salesmen with the respondent Markfed were proceeded against departmentally and a major penalty of dismissal from service has been imposed upon them vide common order dated 11.12.2018 (Annexure P-5).

Such penalty was imposed under Rule 6 (B) & Rule 10 of the Markfed Punishment & Appeal Rule 1990. That apart a decision had been taken that the loss of Rs.43,00,000/- approximately alongwith interest at the prevailing bank rate be recovered from the petitioners in equal share by initiating arbitration proceedings.

Petitioners are stated to have availed of their statutory remedy of appeal by filing appeal dated 31.12.2018 (Annexure P-6).

Grievance of the petitioners is that the appeal preferred by the petitioners is still pending adjudication before the appellate authority and the petitioners apprehend that arbitral proceedings would be initiated in the near future and coercive steps to effect recovery may also be taken.

Short prayer made in the instant petition is for issuance of directions to the appellate authority to expedite hearing of the statutory appeal and to take a final decision thereupon.

In the light of such limited prayer made by counsel, I deem it appropriate to dispose of the instant writ petition even without ascertaining the correctness of the averments made in the petition with a direction to the appellate authority/respondent No.2 that if any appeal has been preferred by the petitioners, the same be decided expeditiously and in any case within a period of 10 weeks from the date of receipt of certified copy of this order.

It would be appreciated if prior to taking a final decision, the petitioners are afforded an opportunity of person hearing.

Writ petition is accordingly disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.02.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No