

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

CWP No.5381 of 2019
Date of decision:-28.02.2019

Iqbal Singh

.....Petitioner

versus

Chairman Punjab Agro Industries Corporation Ltd. and ors.

.....Respondents

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

Present:- Mr. O.P. Kamboj, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Pleadings on record would indicate that the petitioner who was serving on the post of Fertilizer Clerk under the Punjab Agro Industries Corporation Limited, was imposed the major penalty of dismissal from service as also recovery of an amount of Rs.60,81,076/- vide order dated 30.10.2009 passed by the Additional Managing Director of the Corporation. Such penalty was imposed upon culmination of regular departmental proceedings initiated against the petitioner.

Instant writ petition has been filed seeking a mandamus for directing the appellate authority/respondent No.2 to take a final decision on an appeal dated 08.04.2012 (Annexure P-2) which is stated to have been filed against the order of dismissal.

Counsel would argue that as per standing orders of the respondent-Corporation, the Appellate Authority was obligated to take a final decision on the appeal within a time frame of six months.

During the course of hearing, this Court called upon the counsel to advert to any document/material wherefrom it may be conclusively

demonstrated that an appeal had in fact been filed by the petitioner.

Response to such query has been evasive.

At this stage, counsel prays for withdrawal of the writ petition.

Dismissed as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

28.02.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No