

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

**CWP-12932-2019 (O&M)
Date of Decision:16.05.2019**

Tarsem Goyal

... Petitioner

Versus

Punjab Agro Industries Corporation & another

... Respondents

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

Present:- Mr. Parveen Kumar Garg, Advocate for the petitioner.

....

TEJINDER SINGH DHINDSA, J. (ORAL)

As per pleadings on record, petitioner is working under the Punjab Agro Industries Corporation on a regular basis and against a sanctioned post of Junior Scale Stenographer.

The precise grievance raised in the petition is that without even issuance of an order, recovery is being made from the salary of the petitioner on a monthly basis.

It is the contention raised by counsel that the action of the respondent/authorities is in complete negation of the principles of the natural justice and it was obligatory upon the employer to have atleast afforded to the petitioner an opportunity of personal hearing prior to effecting any recovery and which also has not been done.

Counsel makes a prayer that with regard to such arbitrary and illegal action, a legal notice dated 12.12.2018 (Annexure P-2) has already been served and he would be satisfied if the writ petition was to be disposed of with a direction to the concerned authority to examine the same and thereafter to take a final decision thereupon within a stipulated time frame.

Prayer made by counsel is found to be just and reasonable.

In view of the above and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the writ petition with a direction to respondent No.2/competent authority to examine the grievance of the petitioner against the backdrop of a legal notice dated 12.12.2018 (Annexure P-2) and to take a final decision thereupon expeditiously and in any case within a period of four weeks from the date of receipt of a certified copy of this order.

It would be appreciated if prior to the final decision to be taken, an opportunity of personal hearing is afforded to the petitioner.

Writ petition is disposed of.

It is, however, clarified that this Court has not examined the case on merits.

16.05.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |