

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

**CWP-24671-2019 (O&M)**  
**Date of Decision: 06.09.2019**

Sukhwant Singh & another

--Petitioners

Versus

Administrative Committee & others

--Respondents

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

Present:- Mr. Shiv Kumar, Advocate for the petitioners.

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**TEJINDER SINGH DHINDSA.J (Oral)**

Petitioners no.1 and 2 are serving on the post of Deputy Chief Engineer and Assistant Engineer (Mechanical) respectively under the Sugarfed. On conclusion of disciplinary proceedings, order dated 17.12.2018 (Annexure P-3) was passed by the Managing Director, Sugarfed and whereby punishment of stoppage of two annual increments without cumulative effect was imposed upon the petitioners.

That apart, recovery of an amount of Rs.6,22,036/- was also directed from each of the petitioners. Both the petitioners are stated to have filed statutory appeals along with applications seeking stay of recovery.

Grievance of the petitioners in the instant petition is that the applications for stay have not been taken up for hearing by the Appellate Authority and on the other hand recovery is sought to be effected. Counsel submits that as of date recovery of Rs.56,152/- has already been made from petitioner no.1.

The short prayer made in the instant petition is for issuance of directions to the Appellate Authority to hear and decide the statutory appeals preferred by both the petitioners including the applications for stay that had been filed along with the appeals.

Without even ascertaining the correctness of the averments made in the instant petition and without expressing any opinion on the merits of the case, I deem it appropriate to dispose of the same with a direction to the Appellate Authority/respondent no.1 to take a final decision on the statutory appeals at Annexures P-4 and P-5 preferred by the petitioners within a period of six months from the date of receipt of a certified copy of this order.

Further directed that no further recoveries from the salaries of the petitioners shall be effected till the final decision is taken by the Appellate Authority. The amount that may have already been recovered from either of the petitioners be refunded to them forthwith. Such directions are being issued in view of the fact that under similar circumstances a Coordinate Bench of this Court had issued the same directions while disposing of *CWP-12307-2018 (Anil Kumar & another Vs. The Punjab State Cooperative Supply & Marketing Federation Ltd. 'MARKFED' & another)* decided on 23.5.2018.

Disposed of.

(TEJINDER SINGH DHINDSA)  
JUDGE

06.09.2019

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| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |