

CWP-29101-2019 (O&M)

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

**CWP-29101-2019 (O&M)
Date of decision : 04.10.2019**

Harpal Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. G.S. Brar, Advocate
for the petitioner.

AMIT RAWAL, J. (ORAL)

Petitioner has approached this Court under Article 226/227 of the Constitution of India for issuance of writ in the nature of mandamus directing respondent No.2 to decide the stay application filed by the petitioner as well as for quashing the order dated 20.09.2019 (Annexure P-5) passed by respondent No.4, whereby in pursuance to order dated 25.03.2019 (Annexure P-2), recovery has been ordered from the salary of petitioner.

Petitioner has preferred the first appeal under Section 68 of the Punjab Cooperative Society Act, 1961 (in short 'the 1961 Act') against the order dated 25.03.2019 (Annexure P-2) passed under Section 54(1) of the 1961 Act along with application for interim stay (Annexure P-4). As per *zimini* orders dated 18.07.2019, only notice in the appeal as well as in the stay application has been issued and the matter is pending

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consideration for 17.10.2019.

Without going into the merits and demerits of the matter, I deem it appropriate to dispose of present writ petition with a direction to Financial Commissioner, Cooperation, Punjab/respondent No.2 to consider the ad interim stay application on the adjourned date i.e. 17.10.2019 or on the suitable date as pendency of the appeal would not term to be stay against the impugned order, whereby recovery has been ordered to be effected from the salary of petitioner.

It is made clear that in case decision is not taken on the two dates, liberty is granted to the petitioner to move an appropriate application in present writ petition.

04.10.2019

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**