

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-34502-2019 (O&M)
Date of Decision: 27.11.2019

Gurmail Singh

--Petitioner

Versus

Board of Directors & others

--Respondents

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

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

TEJINDER SINGH DHINDSA.J (Oral)

Petitioner, who had been deployed as Salesman under Markfed was imposed two orders of penalty at Annexure P-2 dated 6.7.2015 and Annexure P-4 dated 17.6.2015 pursuant to conclusion of common disciplinary proceedings. Vide order Annexure P-2 petitioner was held responsible for causing a loss of Rs.9,99,727/- along with one Sukhdev Ram and as such, recovery of the amount in equal proportion i.e. 50% was directed. Penalty of stoppage of two annual grade increments with cumulative effect was also imposed. Vide order Annexure P-4 dated 17.6.2015 petitioner was held responsible for causing loss of Rs.14,34,071/- along with another delinquent and as such, recovery to the extent of 50% of the loss was directed. Petitioner is stated to have preferred two separate statutory appeals against the afore-noticed orders dated 6.7.2015 and dated 17.6.2015 along with applications seeking stay of recovery.

Grievance of the petitioner in the instant petition is that the applications for stay have not been taken for hearing by the appellate authority and the respondents are proceeding to effect recovery on a monthly basis from the salary of the petitioner.

The short prayer made in the instant petition is for issuance of directions to the authorities concerned/appellate authority to hear and decide the statutory appeals preferred by the petitioner including the applications for stay that had been filed along with the appeal.

Without ascertaining the correctness of the averments made in the petition and without even going into the merits of the case, I deem it appropriate to dispose of the instant petition with a direction to the appellate authority/respondents no.1 and 2 to take a final decision on the statutory appeals preferred by the petitioner within a period of six months from the date of receipt of the certified copy of this order.

Further recovery from the petitioner in pursuance to the impugned orders dated 6.7.2015 (Annexure P-2) and 17.6.2015 (Annexure P-4) shall remain stayed and would be subject to the outcome of the orders to be passed by the appellate authority as has been directed in the instant order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

27.11.2019

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