

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

CWP-34884-2019 (O&M)
Date of decision : December 2nd, 2019

RAKESH JAIN

.....Petitioner

Versus

BOARD OF DIRECTORS, PUNJAB STATE COOP SUPPLY AND
MARKETING FEDERATION LTD AND ORS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Lovedev Singh, Advocate
for the petitioner.

*

TEJINDER SINGH DHINDSA , J (ORAL)

The petitioner who was serving on the Post of Salesmen under MARKFED was proceeded against departmentally along with two other employees and vide order dated 02.06.2016 (Annexure P2) issued by the Additional Managing Director (G) Markfed a punishment of stoppage of two annual grade increments with cumulative effect was imposed. Further the petitioner and the other two delinquents were held responsible for causing loss to the Markfed amounting to ₹42,41,798/-. Accordingly a recovery of loss in equal proportion was directed from the delinquents. Petitioner having preferred an appeal, the Appellate Authority vide order dated 11.05.2018 dismissed the appeal.

Counsel further submits that a revision petition under Rule 14

Sub Clause (d) of Punjab State Cooperative Supply & Marketing Federation Employees (Punishment & Appeal) Rules 1990 was preferred before the Board of Directors Markfed on dated 26.06.2018 (Annexure P4) but the same is still pending for consideration and no final decision thereupon has been taken.

Counsel confines the scope of the instant writ petition as regards issuance of direction to the revisional authority to take a final decision on the revision petition.

In the considered view of this Court the prayer made by counsel is just and reasonable. It may be noticed the revision petition that the petitioner had preferred against the order of the Appellate Authority was towards availing of a statutory remedy under the Punishment & Appeal Rules. As per the submissions made in the petition, the revisional authority on the one hand is not taking a final decision in the matter and on the other hand the order of punishment is being implemented by making a recovery on each month from the salary of the petitioner.

In view of the above and without opining on the merits of the case, instant writ petition is disposed of with a direction to the revisional authority i.e., respondent No.1 to proceed further in the matter and to take a final decision on the revision petition dated 26.06.2018 (Annexure P4) in accordance with law. Let the final decision be taken expeditiously and in any case within a period of 03 months from the date of receipt of certified copy of the order.

Further recovery from the petitioner shall remain stayed and would be subject to the final order that may be passed by the revisional

authority.

The writ petition stands disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

December 2nd, 2019.
tarun

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No