

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

**CWP-35195-2019 (O&M)
Date of Decision:03.12.2019**

Jaswinder Singh

... Petitioner

Versus

The Punjab State Warehousing Corp. & another

... Respondents

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

Present:- Mr. Tahaf Bains, Advocate for the petitioner.

....

TEJINDER SINGH DHINDSA, J. (ORAL)

As per pleadings on record, petitioner herein while serving on the post of Technical Assistant under the Punjab State Warehousing Corporation along with another employee was proceeded against departmentally. After culmination of the inquiry proceedings, the Punishing Authority i.e. the Managing Director of the Corporation passed an order dated 02.08.2006 at Annexure P-4 holding the petitioner as also co-delinquent responsible of causing loss to the Corporation to the extent of Rs.9,52,128/-. As such, a recovery in equal proportion was directed.

Petitioner having preferred an appeal, the Appellate Authority vide order dated 13.02.2018 (Annexure P-5) accepted the appeal and set aside the order of punishment qua the present petitioner.

The short grievance raised in the petition is that inspite of the order of recovery having been set aside, an amount of Rs.4,76,064/- that already stood recovered has not been refunded to the petitioner.

Counsel submits that even representations in such regard have been filed and which have not evoked any response. Counsel makes a

submission that he would be satisfied if the writ petition was to be disposed of with a direction to the concerned authority to look into the matter.

Submission advanced by counsel is found to be just and reasonable.

The instant writ petition is disposed of with a direction to respondent No.1 to look into the matter against the backdrop of a representation dated 15.03.2019 (Annexure P-8) i.e. stated to have already been submitted. A final decision in the matter be taken within a period of two months from the date of receipt of a certified copy of this order. In case, the petitioner is found entitled to refund of the amount that already stands recovered, the same would be released to him without any further delay. However, if there be any impediment in refunding the amount, a speaking order would be passed in such regard and conveyed to the petitioner.

Disposed of.

03.12.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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