

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

CWP No. 3072 of 2020 (O&M)

Date of Decision:05.02.2020

Jasvir Singh and another

.....Petitioners

Versus

The Punjab State Co-operative Supply & Marketing Federation Ltd. and
others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

TEJINDER SINGH DHINDSA J.(Oral)

Petitioners who are serving on the post of Salesmen under Markfed were proceeded against departmentally vide chargesheet dated 24.09.2014 (Annexure P-2). The departmental proceedings culminated in the issuance of order dated 20.04.2018 passed by the Additional Managing Director, Markfed (Annexure P-3) imposing upon the petitioners a major penalty of stoppage of two annual grade increment with cumulative effect. That apart both the petitioners were held responsible for causing loss of Rs.1,09,26,593/- and accordingly recovery in equal proportion was also directed. An appeal having been filed, the same was rejected vide order dated 05.11.2019 (Annexure P-5) passed by the Managing Director, exercising the powers of the Appellate Authority.

Counsel submits that a revision petition under Rule 14 (d) of the Punjab State Co-operative Supply & Marketing Federation Employees (Punishment and Appeal) Rules 1990 was preferred before the Board of Directors on 06.12.2019 (Annexure P-6) alongwith an application for stay but the same is still pending consideration and no final decision has been

taken.

Counsel confines the scope of the instant writ petition as regards issuance of directions 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 that the revision petition preferred by the petitioners against the order of the Appellate Authority was towards availing of a statutory remedy under the relevant rules. As per submissions made by counsel, 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 each month from the salary of the petitioners.

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.3 to proceed further in the matter and to take a final decision on the revision petition dated 06.12.2019 (Annexure P-6) in accordance with law. The final decision be taken expeditiously and in any case within a period of three months from the date of receipt of certified copy of this order.

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

Writ petition stands disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

February 05, 2020
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No