

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109)

CWP No. 4086 of 2020

Date of Decision : 14.02.2020

Jash Pal Sharma

....Petitioner

Versus

The Punjab State Civil Supplies Corporation Limited and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Daman Dhir, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner states that against the order dated 04.11.2019 (Annexure P-2) imposing punishment passed by the Managing Director of the respondent-Punjab State Civil Supplies Corporation Limited, petitioner had already filed an appeal before the appellate authority on 26.12.2019 (Annexure P-3), which is still pending consideration with the respondents but respondents are forcing the petitioner for compliance of the order imposing punishment. Learned counsel argues that prejudice is being caused to the petitioner as on one hand the appeal filed by him is not being decided and on the other hand, respondents are forcing him to comply with the order of punishment. The prayer of the petitioner is for directing the appellate authority i.e. respondent No. 2 to decide the appeal dated 26.12.2019 (Annexure P-3) in a time bound manner by passing an appropriate speaking order.

Learned counsel for the petitioner states that a similar employee one Rohit Singla filed CWP No. 14605 of 2019, which has been disposed of

by a Co-ordinate Bench of this Court on 28.05.2019 (Anexure P-5), wherein, a direction has been given to the appellate authority to decide the appeal in a time bound manner and till the decision of the appeal, the order of punishment has been kept in abeyance.

Keeping in view the advance notice given, Mr. Manbir Baath, Advocate appears on behalf of the respondent-Corporation. He states that the appeal dated 26.12.2019 (Annexure P-3) will be decided by the appellate authority within a period of three months from the date of receipt of certified copy of this order. Learned counsel appearing on behalf of the respondents does not dispute that this Court while deciding ***Rohit Singla's case (supra)***, had directed the respondents to keep the order of punishment in abeyance during the pendency of the appeal. Learned counsel further states that till the decision in the appeal, no recovery as ordered by the punishing authority vide order dated 04.11.2019 (Annexure P-2), will be effected from the petitioner.

Learned counsel for the petitioner states that keeping in view the statement on behalf of the respondents, the grievance of the petitioner stands redressed and petitioner does not press this writ petition any further and prays that writ petition may be disposed of as such.

Ordered accordingly.

It is made clear that respondents will be bound by their statement as recorded above.

February 14, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*