

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

107

**CWP-7389-2020 (O&M)
Date of Decision: 20.05.2020.**

Khazan Singh

....Petitioner.

Versus

The Punjab State Cooperative Supply & Marketing Federation Ltd. and
others

....Respondents.

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

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

Suvir Sehgal, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

CM-4740-2020

CM is allowed as prayed for. The applicant is permitted to file the affidavit and deposit the requisite court fee within a period of one week after the lockdown is over.

CWP-7389-2020

Present petition has been filed under Article 226/227 of the Constitution of India for issuance of writ in the nature of mandamus directing respondent No.1 to hear and decide the statutory departmental revision petition along with application for stay dated 24.01.2020 in a time bound manner and for stay of recovery being effected from his salary during the pendency of the revision petition.

Petitioner is working as a salesman in the Punjab State

'MARKFED'). Departmental proceedings were initiated against the petitioner for having caused loss to MARKFED on account of damage of 80624 bags of wheat during the crop year 2012-13. Vide order dated 16.04.2019 (Annexure P2), the petitioner and another employee were held responsible for causing loss to the tune of Rs.6,60,52,714.

The petitioner was inflicted with punishment of reduction by five stages in his time scale of pay and recovery of the proportionate loss alongwith interest was ordered to be made from his salary. He filed the statutory appeal which was dismissed on 24.12.2019 (Annexure P3) by the Additional Managing Director (G), who was exercising the power of Appellate Authority. Still aggrieved, the petitioner filed a revision petition dated 24.01.2020 alongwith an application for stay (Annexure P4) before the Managing Director, MARKFED-respondent No.1.

The sole grievance of the petitioner is that neither his revision petition nor the application for stay pending before the Revisional Authority is being decided whereas recovery is being effected from his monthly salary.

Notice of motion.

Mr. Amandeep Singh, who is available through video conferencing and accepts notice on behalf of the respondents.

Learned counsel appearing for respondents-MARKFED does not dispute the pendency of the revision petition and the application for stay.

In view of the order which is being passed, reply on behalf of the respondents will not be necessary.

Considering the fact that the revision petition is pending before the Revisional Authority-respondent No.1, without expressing any opinion on the merits of the case, instant writ petition is disposed of with a direction to respondent No.1 to decide the revision petition dated 24.01.2020 (Annexure P4) in accordance with law. The needful be done within a period of three month after the lockdown restrictions imposed due to novel coronavirus (Covid-19) pandemic are lifted.

Till the time the revision petition is not decided, the recovery from the salary of the petitioner shall remain stayed and would be subject to the final order passed by the Revisional Authority.

(SUVIR SEHGAL)
JUDGE

20.05.2020

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