

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

**CWP-7489 of 2020(O&M)
Date of Decision: 28.05.2020**

Malkiat Singh

... Petitioner

Versus

Punjab State Warehousing Corporation and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

**Present:- Ms. Jagdeep Bains, Advocate,
for the petitioner.**

**Mr. A.D.S. Sukhija, Advocate
for respondents.**

(presence marked through video conferencing)

ARUN MONGA, J. (ORAL)

1. Grievance of the petitioner, in nutshell, is that despite pendency of his review before the Reviewing Authority, impugned order for recovery has been passed qua him.

2. Learned counsel for the petitioner, *inter alia*, contends that similarly situated employees like the petitioner had approached this Court impugning the recovery proposed to be imposed by respondent/ Corporation, vide CWP No. 19950 of 2018. This Court vide order dated 24.08.2018 disposed of the said writ petition with a direction that until the statutory review petition is decided by the Reviewing Authority, future proposed recovery shall not be effected qua the employees.

Notwithstanding, contends learned counsel for the petitioner, the petitioner has been issued impugned recovery order dated 09.09.2019(Annexure P-2) without disposing of the statutory review petition of the petitioner, which is still pending with the Reviewing Authority. According to learned counsel, the petitioner is similarly situated with the petitioners in CWP No. 19950 of 2018.

3. Notice of motion.

4. Mr. A.D.S. Sukhija, Advocate, who has joined the proceedings on advance service of petition, accepts notice and seeks time to file reply.

5. This Court is, however, of the opinion that no useful purpose would be served by keeping the petition pending as neither any proceedings are warranted nor any return is required, given the admitted position that statutory review petition is still pending before the Reviewing Authority.

6. In the aforesaid premise, the writ petition is disposed of with a direction to the competent authority to decide the pending review petition by passing a speaking order, in accordance with law, as expeditiously as possible. Future proposed recovery pursuant to the impugned order shall not be effected qua the petitioner till the disposal of the statutory review petition.

7. Disposed of.

May 28, 2020

Jiten

Whether speaking/reasoned

Whether Reportable

(ARUN MONGA)
JUDGE

Yes/No

Yes/No