

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

**CWP-7495 of 2020(O&M)
Date of Decision: 28.05.2020**

Sukhjiwan Singh

... Petitioner

Versus

**The Appellate Authority/Board of Directors, The Punjab Agro
Industries Corporation, Chandigarh & Ors.**

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

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

**Mr. Karan Singla, 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 recovery proceedings have been initiated against him.

2. Learned counsel for the petitioner, *inter alia*, contends that similarly situated employees, though of another entity i.e. Punjab State Warehousing Corporation, had approached this Court impugning the recovery proposed to be imposed by the respondent/ Corporation therein, 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

recovery shall not be effected qua the employees. Notwithstanding, contends learned counsel for the petitioner, the respondents have initiated recovery proceedings against the petitioner without disposing of his statutory review petition, 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. Karan Singla, 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 shall not be effected qua the petitioner till the disposal of the statutory review petition.

7. Disposed of.

May 28, 2020
Shalini

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No

(ARUN MONGA)
JUDGE