

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CWP No.9786 of 2020

Date of Decision: 14.07.2020

Kuldeep Kaur

...Petitioner (s)

Versus

State of Punjab & another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Ashok Bhardwaj, Advocate
for the petitioner.

Ms. Anu Pal Singh, DAG, Punjab.

Mr. Karan Singla, Advocate
for respondent no.2.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed the present writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of order dated 22.08.2006 (Annexure P-4) passed by the Managing Director, Punjab State Warehousing Corporation, whereby recovery was worked out against the husband of the petitioner and was ordered to be effected from him by filing civil suit in appropriate Court of law. However, on appeal, having been filed by Inderjit Singh, Technical

Assistant (husband of the petitioner) against the order dated 22.08.2006, the Appellate Authority, Punjab State Warehousing Corporation, vide order dated 25.09.2018, accepted the appeal and remanded the case back to the punishing authority to recalculate the amount recoverable, if any, from Inderjit Singh, Technical Assistant and to pass a fresh and speaking order.

Learned counsel for the petitioner submits that Inderjit Singh, Technical Assistant (husband of the petitioner) was dismissed from service and he has died on 28.02.2019. He has argued that despite the order dated 25.09.2018 (Annexure P-7) passed by the Appellate Authority, whereby the case was remanded back to the punishing authority to recalculate the amount recoverable, if any, from Inderjit Singh, Technical Assistant, no such fresh order has been passed.

Learned counsel for respondent no.2 submits that case of the petitioner, which is pending consideration before the authorities, shall be decided within three months.

In view of the aforesaid circumstances, the present petition is disposed of, at this stage, with a direction to Managing Director, Punjab State Warehousing Corporation, respondent no.2, to decide the case of the petitioner pursuant to order dated 25.09.2018 passed by the Appellate Authority within four months from today, in accordance with law.

July 14, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No