

In virtual Court

CWP-12324-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12324-2020 (O&M)
Date of decision: 20.08.2020

Sadhu Singh

... Petitioner

Vs.

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

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Amit Sharma, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of directions to respondent No.1 to hear and decide the appeal dated 01.07.2020 (Annexure P-8) filed by the petitioner against the order dated 12.06.2020 (Annexure P-7), vide which he has been dismissed from service and also to decide the application for stay, as under Service Rules, the appeal is to be decided within a period of three months and the same is not likely to be decided early in view of COVID-19 situation.

Learned counsel for the petitioner submits that the impugned order of dismissal from service dated 12.06.2020 (Annexure P-7) is patently illegal, as the same is based upon registration of an FIR, in which the complaint was given by respondent No.1 against the miller only for not milling the paddy within the time and also regarding misappropriation of huge quantity of the

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same. It is further submitted that thereafter, the petitioner and two other persons were convicted, however, the appeal is pending before the lower appellate Court and sentence of the petitioner has already been suspended and therefore, the matter has not been finally adjudicated upon.

Notice of motion.

Mr. Mehardeep Singh, Advocate accepts notice on behalf of the respondents and submits that respondent No.1 will decide the appeal/application for stay within a period of two months from today.

After hearing learned counsel for the parties, this petition is disposed of and respondent No.1 is directed to decide the appeal/application for stay within a period of two months from the date of receipt of certified copy of this order.

It is made clear that in view of COVID-19 situation in the country, it will be open for the appellate authority to decide the appeal either through video conferencing facility or by asking the parties to submit their written submissions.

**[ARVIND SINGH SANGWAN]
JUDGE**

20.08.2020

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No