

CWP No. 14433 of 2020**Date of Decision: 15.09.2020****Davinder Singh****.....Petitioner****Vs.****Punjab State Warehousing Corporation, SCO No. 74-75, Sector 17-B,
Chandigarh through its Managing Director and another****.....Respondents****CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH****Present: Mr. J.P. Rana, Advocate,
for the petitioner.*************AMOL RATTAN SINGH, J. (ORAL)**

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks issuance of a writ in the nature of '*certiorari*', quashing the order dated 24.08.2020 (Annexure P-3), passed by respondent no. 1 (the Managing Director of the Punjab State Warehousing Corporation), whereby recovery of Rs. 4,725/- per month is to be made from the pension of the petitioner, against a recovery of Rs. 36,16,885/- earlier imposed on the petitioner, vide an order dated 09.09.2019 (Annexure P-1), "which was issued on 02.12.2019 by respondent no. 1."

Learned counsel for the petitioner submits that despite the petitioners' appeal (against the said order dated 09.09.2019), having remained pending with respondent no. 2 since December 2019, now recovery pursuant to the impugned order is being made from the pension of the petitioner.

Notice of motion.

Mr. Yashpal Khullar, Advocate, appears and accepts notice on behalf of the respondents.

In view of what has been contended hereinabove, with the factual position very fairly not being denied by Mr. Khullar (because it could not be denied), this petition is disposed of with a direction that till the appeal pending with respondent no. 2 is not decided, after hearing the petitioner, no recovery shall be made from the pension of the petitioner.

Obviously, now it will be up-to respondent no. 2, i.e. the Appellate authority-cum-Chairman of the Punjab Warehousing Corporation, to decide the appeal as and when he wishes to, after hearing the petitioner.

September 15, 2020
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.