

121 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-22217-2020(O&M)
Date of Decision:22.12.2020**

Amrik Singh

.....Petitioner

Versus

**The Punjab State Warehousing
Corporation and Another**

..... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. J.P.Rana, Advocate for the petitioner.

Mr.A.S.Miglani, Advocate for the respondents.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

As per pleadings on record petitioner was serving on the post of Godown Attendant under the Punjab State Warehousing Corporation and has since retired. Vide order dated 26.06.2019 (Annexure P-1) passed by the Managing Director of the Corporation a penalty of recovery of Rs. 2,81,095/- was imposed upon the petitioner.

The short grievance raised in the petition is that the statutory appeal dated 26.09.2019 (Annexure P-2) preferred by the petitioner against the order of recovery is not being dealt with and is still pending consideration.

The only prayer made in the petition is for issuance of

directions to the Appellate Authority to take a time bound decision on the appeal.

Notice of motion.

Since an advance copy of the petition had already been served upon the respondents-Corporation, Mr.A.S.Miglani, Advocate enters appearance.

Counsel for the respondents-Corporation does not dispute the factual premise that the statutory appeal was indeed filed and is pending final decision.

This Court is of the considered view that the Appellate Authority is duty bound to take a final decision on the appeal dated 26.09.2019 (Annexure P-2) as it was towards resorting to exhausting statutory remedy.

As such without commenting on the merits of the impugned order of recovery passed by the Punishing Authority/Managing Director, the instant petition is disposed of with a direction to the 2nd respondent/Appellate Authority, Punjab State Warehousing Corporation to take a final decision on the appeal dated 26.09.2019 (Annexure P-2) expeditiously and in any case within period of two months from the date of receipt of a certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

22.12. 2020
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No