

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

-.-

**CWP-2054-2021 (O&M)
Date of decision : 29.01.2021.**

Rajinder Singh

.....Petitioner

Vs.

Commissioner & Secretary,
Department of Food & Supply and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. S.K.Malik, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

Learned counsel for the petitioner would contend that a demand for recovery of Rs.62,04,598/- was issued against the petitioner on 30.01.2013 (Annexure P-2) without holding any enquiry. The petitioner thereafter retired on 31.12.2014. An appeal was preferred by the petitioner against the demand dated 30.01.2013 which appeal was decided on 15.05.2018 (Annexure P-5) and the recovery was held to be bad. However, a direction was issued for issuance of charge-sheet regarding the recovery amount. Thereafter, charge sheet was issued, enquiry held and an order of recovery of Rs.62,04,598/- was passed against the petitioner. The petitioner has preferred an appeal (Annexure P-11) before the Board of Administrators, Haryana State Federation of Consumers Cooperative Wholesale Stores Limited (CONFED) challenging the show cause notice, the statement of allegations, the charge sheet dated 10.08.2018, the enquiry report, the enquiry finding dated 28.11.2018, the show cause notice dated 17.01.2019 and final order dated 28.03.2019.

Learned counsel for the petitioner would contend that the said appeal was filed way-back on 15.04.2019 and till date the same is pending. On 16.07.2019 a reminder was also sent for hearing of the appeal. However, till date the appeal remains pending. Learned counsel for the petitioner would further contend that at this stage, the petitioner would be satisfied if a direction is issued to respondent No.2 to decide the appeal in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Rajesh Gaur, Addl. A.G., Haryana has joined the Session through video conferencing and accepts notice.

In view of the limited prayer made by the learned counsel for petitioner and without commenting on the merits of the case, the present petition is disposed off with a direction to respondent No.2 to decide the appeal (Annexure P-11) within a period of three months from the date of receipt of certified copy of this order, in accordance with law.

Disposed off accordingly.

January 29, 2021
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No