

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(118)

CWP No. 2191 of 2021
Date of Decision : 03.03.2021

Balwinder Singh

...Petitioner

Versus

Managing Director, the Punjab State Cooperative Supply and
Marketing Federation Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shiv Kumar, Advocate for the petitioner.

Mr. Himmat Singh, Advocate for
Mr. Tarunvir Singh Lehal, Advocate for the respondents.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed with a prayer that an appropriate direction be issued to respondent No. 2 to decide the statutory appeals (Annexures P-7 to P-11) preferred by the petitioner alongwith the application for interim order against all the impugned orders dated 29.06.2020 (Annexures P-2 to P-6).

Learned counsel for the petitioner argues that non-deciding of the statutory appeals is causing prejudice to the petitioner as on one hand, the respondents are not deciding the appeals preferred by the petitioner against the impugned orders (Annexures P-2 to P-6) and on the other hand, they are forcing the petitioner to comply with the impugned orders.

Notice of motion.

Mr. Himmat Singh, Advocate for Mr. Tarunvir Singh Lehal, Advocate, who is present in Court today, accepts notice on behalf of the respondents.

Learned counsel for the parties concedes that the similar situation has arisen before this Court more than once wherein, a direction has already been issued by the Co-ordinate Bench to decide the appeals in a time bound manner and in the meantime, the respondents have been restrained from effecting the recovery as stated in the impugned orders against which the appeals are pending before the Appellate Authority. These orders have been appended with this petition as Annexures P-14 to P-22.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the petitioner has preferred appeals against the impugned orders, it becomes the duty of the respondents to decide the same expeditiously. The appeals are pending consideration with the authorities for the last more than six months alongwith applications for interim order. The respondents cannot keep the statutory appeals pending and force the petitioner to comply with the impugned orders.

In the interest of justice, the present writ petition is disposed of with a direction to the respondents to decide the statutory appeals preferred by the petitioner (Annexures P-7 to P-11) within a period of six months from today and till then, no further coercive action including any further recovery be taken against the petitioner for implementation of the impugned

orders dated 29.06.2020 (Annexures P-2 to P-6) against which the appeals have been preferred. After the appeals are decided, the respondents are free to take appropriate action in case the same is needed.

March 03, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No