

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 13891 of 2021(O&M)

Date of Decision:10.08.2021

Harminster Singh and another

.....Petitioners

Versus

Punjab State Warehousing Corporation and another

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Ms. Deepali Puri, Advocate
for the respondents.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this writ petition is for a direction to respondent no.2- Appellate Authority to decide statutory appeals dated 04.06.2021, Annexures P-2 and P-3, filed by the petitioners challenging order dated 18.03.2021, whereby penalty of 10% cut in their pension for five years has been imposed, within a time bound manner and in the interregnum operation of the impugned order should be stayed.

Learned counsel for the respondents points out to Rule 19 (3) of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 to submit that final decision on an appeal can be taken by the Appellate Authority within a period of one year from the date of filing of the appeal. Therefore, it cannot be said that there is any delay on the part of the Appellate Authority, at this stage. Appeal filed by the petitioners, it is submitted shall be taken up

as per their turn within a period of one year and decided accordingly. It is submitted that time limit of one year was incorporated vide an amendment in 2008.

Learned counsel for the petitioners submits that stay of the impugned order dated 18.03.2021, has also been sought, but the same is not being decided and that it is incumbent upon the Appellate Authority to decide the same expeditiously as otherwise the appeal filed by the petitioners will necessarily be rendered infructuous.

Without any expression of opinion on the merits of the matter, this writ petition is disposed of with a direction to the Appellate Authority-respondent no.2, to finally dispose of the application/prayer filed/addressed for stay by the petitioners along with their appeal, expeditiously. Till then, further recovery pursuant to order dated 18.03.2021, to remain stayed.

10.08.2021

s.khan

[LISA GILL]**Judge**

Whether speaking/reasoned	:	Yes/No.
Whether reportable	:	Yes/No.