

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-2273-2022

Date of Decision: 08.02.2022

(Through VC)

Sikander Singh

.....Petitioner

V/s.

State of Punjab & Ors.

.....Respondents

CORAM: **HON'BLE MR. JUSTICE M.S. RAMACHANDRA RAO**
HON'BLE MR. JUSTICE HARMINDER SINGH MADAN

Present: Mr. Shekhar Verma, Advocate for the petitioner

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M.S. RAMACHANDRA RAO, J. (Oral)

Notice of motion.

Mr. Pankaj Gupta, Addl. AG Punjab takes notice for the respondents.

The grievance of the petitioner is that the petitioner had preferred an appeal before respondent No.2 challenging the notice dt.12.08.2016 (P9) issued by respondent No.4, and that the said appeal has not yet been disposed of. It is also his contention that without disposing of the appeal, proceedings are being initiated for recovery of amount mentioned in the said recovery notice dt.12.08.2016, and that this would cause a serious prejudice to the petitioner as his appeal would practically become infructuous if such recovery is allowed.

Learned State counsel states that respondent No.2 will decide the appeal dt.07.01.2021 preferred by the petitioner, referred to above, within 6 weeks from the date of receipt of a certified copy of this order.

Ordered accordingly.

Pending disposal of the said appeal, there shall be stay of recovery of amount demanded by the respondent No.4 from the petitioner.

It is made clear that the contentions of all the parties are left open and this Court has not expressed any opinion on merits of the contention of either party, including the contention about the maintainability of the said appeal without pre-deposit, and the ground of delay in filing of the appeal.

With these observations and directions, the Writ Petition is disposed of.

(M.S. RAMACHANDRA RAO)
JUDGE

(HARMINDER SINGH MADAN)
JUDGE

08.02.2022
Vishal/Vivek

<i>Whether speaking / reasoned</i>	:	<i>Yes /No</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>