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

CWP No. 6909 of 2022
Date of Decision: 02.04.2022

Paramjit Singh

-Petitioner

Versus

The Punjab State Warehousing Corporation and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Tahaf Bains, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this petition for the issuance of an appropriate writ, order or direction especially in the nature of mandamus directing the respondent- Corporation not to effect recovery from the salary of the petitioner during pendency of application for stay filed by the petitioner along with the statutory appeal dated 10.03.2022 pending before respondent No.2.

Learned counsel for the petitioner submits that petitioner along with co-employee Sachin Kumar, G.A. were issued show cause notices on 18.05.2020 for keeping the excess record of 147.15,419 quintals after the complete dispatch of the foodgrain for the year 2011-12.

Vide order dated 03.02.2022, both the employees were held responsible and recovery of Rs.97,898.50 paise each was imposed upon them.

Petitioner filed the statutory appeal before respondent No.2 along with an application for stay on 10.03.2022. Respondent No.2 has not taken cognizance of the appeal and the application for stay in any manner and on the other hand, respondent- department is heading towards implementing the order of recovery by way of applying deductions from monthly salary of the petitioner.

Learned counsel for the petitioner relies upon judgment passed by this Court in **CWP No.845 of 2019** titled '**Jaswinder Singh and another vs The Punjab State Cooperative Supply and another**', **CWP No.3443 of 2019** titled '**Raman Kant vs The Punjab State Co-operative Supply and Marketing Federation Ltd. and another**', **CWP No.5050 of 2020** titled '**Jasvir Singh and another vs The Punjab State Supply Marketing Federation Ltd and another**' and **CWP No.9845 of 2020** titled '**Tirath Ram vs Board of Directors**' to contend that the petitioner is entitled for interim protection till his application for interim relief is decided by the appellate authority in accordance with law.

Notice of motion.

At this stage, Mr. A.P. Singh, Advocate accepts notice on behalf of the respondents.

Without commenting upon merits of the case, this writ petition is disposed of with a direction to respondent No.2 to decide the statutory appeal filed by the petitioner within a reasonable time from the date of receipt of certified copy of this order.

Till such time, the application for stay is not decided, the recovery of the amount in question from the salary of the petitioner be not enforced.

02.04.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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