

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

CWP No.13915 of 2019

Date of Decision:-23.03.2022

Randhir Singh

...Petitioner

Versus

Punjab State Civil Supplies Corporation Ltd. And others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. G.S. Bal, Sr. Advocate with
Mr. A.D.S. Bal, Advocate
for the petitioner.

Mr. Sumit Puri, Advocate
for the respondents.

(Proceedings conducted through video conferencing)

HARSIMRAN SINGH SETHI J.(Oral)

In the present petition, the challenge is to the order dated 31.8.2018 (Annexure P-9) vide which, the appellate committee rejected the prayer of the petitioner in respect of the recovery of Rs.4,20,410/-.

While issuing notice of motion, following order was passed by this Court on 23.5.2019 :-

“Learned Senior counsel argues that though the appellate committee has noticed that in the recovery suit, which was filed by the Corporation, only the liability of one Sh. Malkiat Singh has been proved, whereas the recovery suit against the petitioner was

dismissed, but no finding has been recorded by the appellate committee while rejecting the appeal of the petitioner on this aspect.

Learned Senior counsel contends that the arguments raised before the appellate committee though noticed has not been decided while rejecting the appeal filed by the petitioner in respect of the recovery of Rs.4,20,410/-, hence, the order passed in appeal is liable to be set aside.

Notice of motion for 04.10.2019.”

Learned senior counsel appearing on behalf of the petitioner again submits that while passing the order in appeal preferred by the petitioner, the arguments raised before the appellate committee have not been dealt with while rejecting the appeal of petitioner, which is contrary to the settled principles of law as, the appellate authority is required to appreciate all the arguments raised in the appeal and decide the same by passing a speaking order on each ground raised.

Learned counsel appearing on behalf of respondents submits that the order in appeal dated 31.8.2018 (Annexure P-9) may kindly be treated as withdrawn and liberty may be granted to the Department to pass an appropriate fresh order in appeal preferred by the petitioner in accordance with law after dealing with all the contentions raised by the petitioner therein.

Learned senior counsel for the petitioner submits that as the petitioner is litigating for the last so many years and his pensionary benefits have been withheld by the respondents, let a direction be issued to the respondents to decide the appeal in a time bound manner.

Learned counsel for the respondents submits that appropriate order on the appeal of the petitioner will be passed within a period of eight weeks from the date of receipt of copy of this order.

Learned senior counsel for the petitioner submits that keeping in view the above, no further grievance of the petitioner survives and the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

March 23, 2022
Vijay Asija

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No