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

CWP-14309-2022

Date of Decision: 08.07.2022

Inderaj Kumar

..... Petitioner

Versus

The Appellate Authority, The Haryana State Warehousing Corporation and
another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner filed appeal dated 07.06.2022 (Annexure P-2) before the Appellate authority against the orders dated 24.02.2022 (Annexure P-1), wherein the amount of penalty imposed upon the petitioner is ordered to be recovered from his pension by respondent No.2, which appeal is yet to be heard and decided by the authorities concerned, but the respondent-Department is initiating action, in order to recover the said amount of penalty imposed upon the petitioner, without waiting for the decision of the said appeal dated 07.06.2022.

Learned counsel for the petitioner submits that in some what similar circumstances, a co-ordinate Bench of this Court, while passing order in CWP-9355-2022, titled as ***“Ram Chander Vs. The Appellate Authority, The Haryana State Warehousing Corporation, Panchkula, Haryana and another”***, decided on 05.05.2022, disposed of the said

petition with the directions to the authorities concerned to decide the appeal within a specified time period and till the said decision, the Corporation concerned was restrained from recovering amount of penalty imposed upon the petitioner therein.

Notice of motion.

On the asking of the Court, Mr. D.S. Nalwa, Advocate, who is present in the Court, accepts notice on behalf of the respondents and raises no objection in case the order in the present petition is passed in the same terms as passed by the co-ordinate Bench of this Court in CWP-9355-2022 (Annexure P-5).

Keeping in view the facts and circumstances stated hereinbefore, the present petition is disposed of with direction to the respondents to decide the appeal dated 07.06.2022 (Annexure P-2), filed by the petitioner against the orders dated 24.02.2022 (Annexure P-1), within a period of three months from the date of receipt of the copy of this order and till the passing appropriate order on the appeal of the petitioner, no coercive steps shall be taken against the petitioner by the respondent-Department, regarding the recovery of amount of penalty imposed upon the petitioner, vide orders dated 24.02.2022 (Annexure P-1).

Disposed of in the above terms.

08.07.2022*Apurva***(HARSIMRAN SINGH SETHI)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No