

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

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CWP No.19965 of 2022

Date of decision : 05.09.2022

Amardeep Singh and another

...Petitioners

V/s

The Punjab State Warehousing Corporation and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

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

Mr. T.S. Sidhu, Advocate for the respondents.

VIKAS SURI, J. (Oral)

The limited prayer made in the preset petition is for issuance of a direction to respondent No.2 to decide the appeal dated 16.08.2022 (Annexure P-2) filed by the petitioners against order dated 30.05.2022/12.07.2022 (Annexure P-1) whereby recovery of an amount of Rs.1,84,973.50/- has been directed against petitioner No.1-Amardeep Singh and recovery of Rs.92,486.75/- has been directed against petitioner No.2-Paramjit Singh.

Learned counsel for the petitioner has relied upon the judgments 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***.

The short prayer made in the instant petition is for issuance of directions to the authorities concerned/Appellate Authority to hear and decide the statutory appeals preferred by both the petitioners including the applications for stay that had been filed along with the appeals. The other grievance raised is that the applications for stay are not being taken up for hearing by the appellate authority and the department is proceedings to affect recoveries.

Notice of motion.

Mr. T.S. Sidhu, Advocate accepts notice on behalf of the respondents. Advance copy of the writ petition stands served. Learned counsel for the respondents does not raise any serious objection to the restricted prayer made and the legal issues decided in the aforesaid judgments.

Without commenting on the merits of the case, the present petition is disposed of with a direction to respondent No.2 to decide the statutory appeal filed by the petitioners within a period of six months from the date of receipt of certified copy of this order. Till such time the application for stay/appeal of the petitioners is not decided, the recovery of the amount shall not be effected.

The petition stands disposed of in the above terms.

(VIKAS SURI)
JUDGE

September 05, 2022

Ajay

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No