

CWP- 15083-2023 (O&M)

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

CWP- 15083-2023 (O&M)
Date of Decision: 18.07.2023

Paramjit Singh

... Petitioner

V/s.

Punjab State Warehousing Corporation and another

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

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

DEEPAK MANCHANDA, J.(Oral)

Present writ petition has been filed under Article 226/227 of the Constitution of India by the petitioner seeking issuance of writ in the nature of mandamus for directing the respondent-Corporation not to effect recovery from the salary of the petitioner pending application for stay made by the petitioner in the statutory appeal dated 07.07.2023 (Annexure P-2) before respondent No. 2 filed against the orders dated 22.06.2023/30.06.2023 (Annexure P-1) passed by respondent No. 1 whereby a punishment of recovery of Rs. 1,89,145/- has been imposed upon the petitioner.

Learned counsel for the petitioner submits that the petitioner, who was posted as Warehouse Manager at State Warehouse, Talwandi Bhai from 25.09.2013 to 02.06.2017 was issued a show cause notice dated 03.03.2016 wherein an allegation had been levelled against him relating to the deduction made by the FCI from the storage charges bills at the State Warehouse, Talwandi Bhai. He submitted his reply to the said show cause notice and was afforded an opportunity of hearing on 26.05.2023, on which date he also submitted a representation but the authorities passed the impugned orders dated 22.06.2023/30.06.2023 (Annexure P-1) imposing a punishment of recovery upon the petitioner. Aggrieved from the same, the petitioner preferred a statutory appeal dated 07.07.2023 along with an application for staying the operation of the impugned order dated 22.06.2023/30.06.2023 which is still pending consideration. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the statutory appeal dated 07.07.2023 (Annexure P-2), which is still pending consideration with respondents and the petitioner will be satisfied at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

At this stage, on the asking of the Court, Mr. T. S. Sidhu, Advocate has put in appearance on behalf of respondents by filing his memo of appearance and concedes that the statutory appeal has been filed and the same would be decided within a period of three months.

I have heard learned counsel for the parties and have gone

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through the record of the case.

In view of the aforesaid stand of the counsel for the respondents, the present petition is disposed of with the directions that the statutory appeal dated 07.07.2023 (Annexure P-2) filed by the petitioner pending before the Appellate Authority shall be decided within a period of two months by passing a speaking order from the date of receipt of certified copy of this order and till then, no recovery from the salary of the petitioner shall be effected.

(DEEPAK MANCHANDA)
JUDGE

18.07.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No