

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21527-2023

Date of decision : 05.10.2023

Sukhdeep Singh and another

...Petitioners

Vs.

The Appellate Authority, The Punjab
State Civil Supplies Corporation. Ltd,
PUNSUP and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Tahaf Bains, Advocate
for the petitioners.
Mr. Deepak Gupta, Advocate
for the respondents.

DEEPAK MANCHANDA, J.(Oral)

This petition has been filed under Article 226/227 Constitution of India for issuance of a writ in the nature of mandamus directing the respondent corporation not to effect recovery from the petitioners as the statutory appeal filed by them is pending with the Appellate Authority.

Learned counsel for the petitioners submits that the issue raised in the present petition has already been dealt by this Court in CWP-18701-2023 (Annexure P-5) titled as “Akash Verma and others Vs. The Appellate Authority, The Punjab State Civil Supplies Corporation Ltd. and another”, CWP-18615-2023 (Annexure P-6) titled as “Gagandeep Singh Vs. The Appellate Authority, Punjab State Civil Supplies Corporation Ltd. and another” and CWP-19025-2023 (Annexure P-7) titled as “Jaswinder Singh

Vs. The Appellate Authority, Punjab State Civil Supplies Corporation Ltd.

and another". He prays that present petition may be disposed of in the same terms.

The above fact is not disputed by the learned counsel representing the respondents and he does not oppose the prayer made by learned counsel for the petitioners.

I have heard counsel for the parties and have gone through the case file carefully.

This Court in the above mentioned writ petitions decided the controversy in question by passing a detailed order. The case of the petitioners is squarely covered by the aforesaid judgments and the order dated 29.08.2023 (Annexure P-5) passed in CWP-18701-2023 reads as under:-

"The instant petition has been filed under Article 226/227 of the Constitution of India claiming that the statutory appeal filed by the petitioners is pending with the Appellate Authority since 16.08.2023 (Annexure P-2) and the authorities are bent upon effecting recovery.

Learned counsel for the petitioners at the outset prays for deciding the statutory appeal filed by the petitioners dated 16.08.2023 (Annexure P-2) expeditiously by passing a speaking order within a time bound manner.

Notice of motion.

Mr. Shubham Thakur, Advocate has put in appearance on behalf of respondents, accepts notice on their behalf and submits that the appeal filed by the petitioners shall be

decided expeditiously.

I have heard learned counsel for the parties and have gone 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 directions that the statutory appeal dated 16.08.2023 (Annexure P-2) pending before the Appellate Authority shall be decided within a period of six months from the date of receipt of certified copy of this order. Further recovery from the petitioners shall remain stayed and would be subject to the final order that may be passed by the Appellate Authority.

The petition stands disposed of.”

In view of the above, case of the petitioners is squarely covered by the aforesaid judgment dated 29.08.2023 (Annexure P-5) passed in Akash Verma’s case (supra) and the present petition is disposed of in the same terms.

(DEEPAK MANCHANDA)
JUDGE

05.10.2023
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No