

CWP- 22893-2023

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

CWP- 22893-2023

Date of Decision: 10.10.2023

Joginder Pal

... Petitioner

V/s.

Punjab State Warehousing Corporation and Another

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. J.P. Rana, Advocate
for the petitioner.

DEEPAK MANCHANDA, J.(Oral)

Through the instant Civil Writ Petition filed before this Court under Article 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of Mandamus for directing the Respondent No.2/The Appellate Authority to decide the statutory appeal dated 15.07.2021 (Annexure P-3) filed by the petitioner against the order of punishment dated 30.04.2015 (Annexure P-2) issued under endorsement No.PWC/EST/E-4/EF-740/6006-6023/15 dated 06.05.2015 passed by respondent No.1, whereby recovery of Rs. 36,79,079/- has been imposed on the petitioner.

The brief facts of the case are that during the tenure of the petitioner while working as Godown Attendant, State Warehouse, PSWC, Chamkaur Sahib, the respondent No.1 issued a charge sheet

dated 23.10.2013 to the petitioner (Annexure P-1). Petitioner has submitted his reply to the charge sheet and thereafter, respondent appointed an enquiry officer to enquire the above mentioned charge sheet and the petitioner was ultimately found to be not guilty by the enquiry officer and he submitted his enquiry report dated 11.09.2014 to respondent No.1. Thereafter, respondent No.1 while disagreeing with the enquiry report, issued a show cause notice dated 20.11.2014 along with descending note to the petitioner and petitioner submitted his reply dated 16.12.2014 to the show cause notice before the respondent No.1. That thereafter, without considering the reply submitted by the petitioner, respondent No.1 passed the punishment order dated 30.04.2015 (Annexure P-2).

Learned counsel for the petitioner at the outset prays for deciding the appeal filed by the petitioner dated 15.07.2021 (Annexure P-3) expeditiously by passing a speaking order within a time bound manner.

Notice of motion.

On receipt of advance copy, Mr. Navdeep Monga, Advocate has put in appearance on behalf of respondents by filing his memorandum of appearance and submits that the appeal filed by the petitioner will be decided expeditiously.

I have heard learned counsel for the parties and have gone through the record of the case.

Keeping in view the innocuous prayer made in the present petition, the appellate authority/respondent No. 2 is directed to consider and decide the appeal dated 15.07.2021 (Annexure P-3) in accordance with

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law, by passing a detailed speaking order as expeditiously as possible preferably within a period of six months from the date of receipt of certified copy of this order.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

10.10.2023

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Whether speaking/reasoned	Yes
Whether Reportable	Yes /No