

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

126

CWP-5707-2024 (O&M)
Date of decision: 12.03.2024

Rakesh Uppal

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Surinder Mohan Sharma, Advocate for the petitioner

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition under Articles 226/227 of the Constitution of India, has been filed for directing respondent-State not to affect the recovery from the petitioner, in view of the fact that statutory appeal is pending.
2. Learned counsel for the petitioner submits that neither the appeal was filed in October, 2023, has been decided nor the prayer for stay has been accepted, which is contrary to the very object of providing such a remedy.
3. Notice of motion.
4. At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab accepts notice on behalf of the respondent-State and on instructions, submits that the aforesaid appeal shall be decided expeditiously.
5. There is no merit in the submission of the learned counsel for the petitioner. The appeal is a substantive right of an employee, which is required to be considered and decided within a reasonable period of time.
6. In view of the aforesaid, this petition is hereby disposed of with a

direction to decide the statutory appeal within a period of 3 months. However, till such time, no recovery shall be effected from the petitioner.

(AMAN CHAUDHARY)
JUDGE

12.03.2024
M.Kamra

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No