

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

120

CWP No.7183 of 2024 (O&M)
Date of decision: 22.03.2024

Naresh Kumar Goyal

....Petitioner

Versus

Punjab State Warehousing Corporation and another

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Aditya Grover, Advocate
with Ms. Nirmal Kaur, Advocate
for the petitioner.

Ms. Nitika Sharma, Advocate
for the respondents.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari, for quashing the order bearing No.PSWC/Admn/E-10/EF-359/1087-1102/24 dated 05.01.2024, signed by the punishing authority on 12.01.2024 and circulated on 18.01.2024 qua the petitioner (Annexure P-13) vide which a penalty for recovery of amount of Rs.8,74,228/- has been imposed upon the petitioner. Further a writ of mandamus has been sought for staying the operation of order bearing No.PSWC/Admn/E-10/EF-359/1087-1102/24 dated 05.01.2024, signed by the punishing authority on 12.01.2024 and circulated on 18.01.2024 qua the petitioner (Annexure P-13) and to issue direction to respondent No.2 – Appellate Authority to decide the statutory appeal dated 19.02.2024 (Annexure P-14) filed by the petitioner.

2024:PHHC:040750

2. Learned counsel for the petitioner, at the outset, prays for deciding the statutory appeal dated 19.02.2024 (Annexure P-14) filed by the petitioner expeditiously by passing a speaking order within a time bound frame.
3. Notice of motion.
4. Ms. Nitika Sharma, Advocate, accepts notice on behalf of the respondents and submits that the appeal filed by the petitioner shall be decided expeditiously.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. The Appellate Authority – respondent No.2, is directed to consider and decide the statutory appeal dated 19.02.2024 (Annexure P-14) filed by the petitioner, in accordance with law by passing a speaking order as expeditiously as possible preferably within a period of 06 months from the date of receipt of certified copy of this order.
7. Since the statutory appeal is still pending and yet to be decided, it will be in the interest of justice that no further recovery be effected from the petitioner till the disposal of the appeal.
8. The petition stands disposed of in the above terms.

(NAMIT KUMAR)
JUDGE

22.03.2024
yakub

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