

113 2024:PHHC:044472
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-7405-2024 (O&M)
Date of Decision:02.04.2024

Kanwal Singh and another

....Petitioner(s)

Versus

**The Appellate Authority, The Haryana State Warehousing
Corporation and another**

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Tahaf Bains, Advocate, for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Article 226/227 of the Constitution of India seeking a writ in the nature of *Mandamus* directing the respondent-Corporation not to effect recovery from the petitioners till the decision of the application for stay filed alongwith the appeal dated 16.03.2024 (Annexure P-2) filed by the petitioners.

2. Learned counsel appearing on behalf of the petitioners submitted that against the orders (Annexure P-1), the petitioners had filed an appeal before respondent No.1 and an application for stay was also filed but no decision has been taken on the application for stay and the respondent-Corporation is seeking to effect the recovery from the petitioners and the total recovery which is sought to be effected is Rs. 77,014/-. He submitted that in various similar cases interim orders have been passed in this regard staying the recovery.

- 3. Notice of motion.
- 4. Mr. Padamkant Dwivedi, Advocate has appeared on behalf of the respondents and has stated that he has instructions to state that till the pendency of the appeal of both the petitioners, the respondent-Corporation will not effect any recovery.
- 5. Learned counsel for the petitioners has submitted that in view of the statement made by the learned counsel for the respondent-Corporation, the present petition may be disposed of.
- 6. In view of the above, the present petition is disposed of.

02.04.2024
rakesh

(JASGURPREET SINGH PURI)
JUDGE

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