

2024:PHHC:046217

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

116

CWP-7636-2024
Date of decision: 05.04.2024

Tarlok Rai ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Amit Sharma, Advocate for the petitioner.

AMAN CHAUDHARY. J (Oral)

1. The petitioner has preferred the present Civil Writ Petition under Articles 226/227 of the Constitution of India, for the issuance of a writ in the nature of mandamus, 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 filed on 25.10.2023 has been decided nor the prayer for stay 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. Amarpreet Singh Bains, AAG, Punjab accepts notice on behalf of the respondent-State and on instructions, submits that the aforesaid appeal shall be decided expeditiously.
5. The appeal being a substantive right of an employee, 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**

05.04.2024
Hemant

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