

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

123

CWP No.8895 of 2024 (O&M)
Date of decision: 22.04.2024

Ashwani Kumar

....Petitioner

Versus

Appellate Authority and another

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Shiv Kumar, Advocate
for the petitioner.

NAMIT KUMAR J. (Oral)

1. Instant writ petition has been filed by the petitioner under Articles 226/227 of the Constitution of India for issuance of directions to respondent No.1 to decide the statutory departmental appeal dated 09.04.2024 (Annexure P-2) along with application for stay dated 10.04.2024 (Annexure P-3) filed against the punishment order dated 02.04.2024 (Annexure P-1) passed by respondent No.2, being Punishing Authority in a time bound manner as stipulated under the Service Rules read with Instructions dated 03.03.1997 (Annexure P-4) and to set-aside the order dated 02.04.2024 (Annexure P-1) passed by respondent No.2 – Punishing Authority.
2. Learned counsel for the petitioner prays for deciding the statutory departmental appeal dated 09.04.2024 (Annexure P-2) along with application for stay dated 10.04.2024 (Annexure P-3), filed by the petitioner expeditiously by passing a speaking order in a time-bound manner.

3. Notice of motion.
4. Ms. Bisman Mann, Advocate, accepts notice on behalf of the respondents and submits that she has no objection if some time-bound directions are issued to the Appellate Authority to consider and decide the appeal as well as the application for stay, filed by the petitioner.
5. I have heard learned counsel for the parties and have gone through the case file.
6. Respondent No.1 – Appellate Authority is directed to decide the statutory departmental appeal dated 09.04.2024 (Annexure P-2) along with application for stay dated 10.04.2024 (Annexure P-3) 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 filed by the petitioner is pending and yet to be decided, it will be in the interest of justice that no further recovery be effected from the petitioner.
8. Petition stands disposed of in the above terms.

(NAMIT KUMAR)
JUDGE

22.04.2024
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No