

CWP-24733 of 2024

2024:PHHC:127003



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

CWP-24733 of 2024

Date of decision: 25.09.2024

Sukhwinder Sharma

.....Petitioner

Versus

The Punjab State Cooperative Supply and Marketing Federation
Limited and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

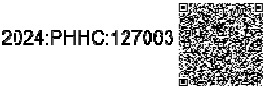
Present: - Mr. Shiv Kumar, Advocate,
for the petitioner.

Mr. T.S. Sidhu, Advocate,
for the respondents.

NAMIT KUMAR, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ of *mandamus*, directing respondent No.2 to hear and decide the statutory departmental appeal dated 09.09.2024 (Annexure P-4) along with application for stay dated 09.09.2024 (Annexure P-5) filed by the petitioner against the order dated 16.08.2024 (Annexure P-3) passed by respondent No.3 being punishing authority, in a time bound manner; to set aside the order dated 16.08.2024 (Annexure P-3) passed by respondent No.3 and for staying the recovery during the pendency of appeal.

2. Learned counsel for the petitioner submits that against the impugned punishment order dated 16.08.2024, petitioner has preferred appeal dated 09.09.2024 (Annexure P-4) and on the one hand the same is not being decided and on the other hand, respondents are in the process of making recovery from the petitioner. He submits that the



petitioner would be satisfied if time-bound directions are issued to the respondents to consider and decide the said appeal and till decision of the said appeal, no recovery may be effected from the petitioner.

- 3. Notice of motion.
- 4. Mr. T.S. Sidhu, Advocate, accepts notice on behalf of the respondents and has no objection if the time-bound directions are issued to the Appellate Authority to consider and decide the appeal filed by the petitioner.
- 5. I have heard learned counsel for the parties and have gone through the case file.
- 6. Respondent No.2-Appellate Authority is directed to decide the appeal dated 09.09.2024 (Annexure P-4) filed by the petitioner, in accordance with law by passing a speaking order as expeditiously as possible preferably within a period of six 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.

25.09.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No