



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.28387 of 2024 (O&M)
Date of decision: 21.10.2024

Varinder Singh

....Petitioner

Versus

The Appellate Authority, The Punjab State Civil Supplies Corporation
Limited, PUNSUP and another

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Manuj Nagrath, Advocate for the petitioner.

NAMIT KUMAR J. (Oral)

1. The instant petition has been filed by the petitioner seeking a writ of certiorari for setting-aside the order dated 06.08.2024 passed by Managing Director, PUNSUP – respondent No.2 (Annexure P-6), imposing minor penalty by issuing recovery of amount from salary has been ordered and further has been executed w.e.f. 01.10.2024 despite statutory appeal under Punjab Civil Supplies Corporation (Revised Service) Regulations, 1985, Regulation 16 read with Rule 15 of Punjab Civil Services (Punishment and Appeal) Rules, 1970, having been pending before respondent No.1 vide appeal dated 30.9.2024 (Annexure P-7) whereby the order dated 06.08.2024 (Annexure P-6) is under challenge. Further prayer has been made to stay the recovery of salary during the pendency of the statutory appeal dated 30.09.2024 (Annexure P-7). Further a writ of mandamus has been sought for directing the respondents to pay the arrear of pay which has been withheld by the respondents.

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2. Learned counsel for the petitioner submits that the petitioner has challenged the punishment order dated 06.08.2024, having endorsement dated 29.08.2024 (Annexure P-6) by filing a statutory appeal dated 30.09.2024. He prays that direction be issued to respondent No.1 for deciding the appeal filed by the petitioner dated 30.09.2024 (Annexure P-7) (wrongly mentioned as 12.10.2023 in Annexure P-7) expeditiously by passing a speaking order in a time-bound manner.

3. Notice of motion.

4. Mr. M.S. Batth, 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. Without going into the merits of the case at this stage, the present petition is disposed of with a direction that the statutory appeal dated 30.09.2024 (Annexure P-7) (wrongly mentioned as 12.10.2023 in Annexure P-7) pending before the Appellate Authority shall be decided within a period of six months from the date of receipt of certified copy of this order. Further recovery from the petitioner shall remain stayed and would be subject to the final order that may be passed by the Appellate Authority.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

21.10.2024

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No