

2025:PHHC:014127



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

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**CWP-2587-2025 (O&M).  
Date of Decision: 30.01.2025.**

**AMRINDER SINGH**

... Petitioner(s)

Versus

**THE APPELLATE AUTHORITY, THE PUNJAB STATE CIVIL  
SUPPLIES CORPORATION LTD. AND ANOTHER**

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.**

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

**VINOD S. BHARDWAJ, J. (ORAL)**

The instant petition has been filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondents-Corporation not to effect recovery from the petitioners pending the decision of the application for stay made in the appeal dated 20.01.2025 (Annexure P-2) filed by the petitioner against orders dated 29.11.2024/04.12.2024 (Annexure P-1) passed by the respondent No.2-the Managing Director, Punjab State Civil Supplies Corporation Limited (PUNSUP).

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2            Learned counsel appearing on behalf of the petitioner contends that the proceedings were initiated against the petitioner on account of loss suffered by the Corporation. Petitioner was charge-sheeted and found guilty with an order to effect recovery on account of loss suffered. It is submitted that the writ petition bearing CWP No. 27725 of 2013 is already pending before this Court wherein the question regarding moisture content of storage of wheat is under consideration and in case the said writ petition is allowed, the ratio of the said judgment would be applicable to the facts of the case of the petitioners herein. An appeal has been filed and the same is pending consideration therefore, any recovery which is proposed to be made, should be stayed during the pendency of the appeal. He further submits that in similar situation, certain writ petitions have been disposed of staying recovery pending the decision on the statutory appeal (CWP-29214 of 2022 decided on 19.12.2022 and CWP No. 29755 of 2022 decided on 22.12.2022).

3            Notice of motion.

4            Mr. R.S. Kalra, Advocate, appears and accepts notice on behalf of the respondents. He fairly submits that similar writ petitions were filed and disposed of with a direction to not make recoveries pending an appeal.

5            I have heard learned counsel appearing on behalf of the respective parties and have gone through the documents appended along with present writ petition.

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6            In view of the limited prayer made for staying of recovery from the petitioner during pendency of the statutory appeal, this Court deems it appropriate to dispose of the instant writ petition as it is an admitted fact that the petitioner herein has already filed statutory appeal which is pending for decision and till the time the same is decided, no recovery should be effected from the petitioner.

7            Disposed of accordingly.

January 30, 2025.  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

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