



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

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CWP-8146-2025

Date of Decision: 24.03.2025

Rajesh Kumar

.....Petitioner(s)

Versus

The Appellate Authority/Board of Directors, The Haryana State Cooperative Supply and Marketing Federation Ltd. And another

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Vipin Yadav and Mr. J.S. Sohal, Advocates, for the petitioner.

Ms. Rajni Gupta, Advocate, for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent not to effect recovery during the pendency of appeal before Appellate Authority.

2. Learned counsel for the petitioner submit that petitioner has filed appeal before Appellate Authority against an order whereby his liability was determined by Adjudicating Authority. This Court has consistently held that recovery shall not be effected during the pendency of appeal.

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3. Ms. Rajni Gupta, Advocate, who on advance notice is present in Court, submits that petitioner could file application before Appellate Authority which would have stayed the recovery.
4. On being confronted with order dated 30.01.2025 passed in CWP-2461-2025 (Annexure P-7), she expressed her inability to controvert the applicability of said order to instant petition.
5. In the wake of statement of both sides, the present petition stands disposed of in terms of aforesaid order.

24.03.2025	(JAGMOHAN BANSAL)
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Whether reasoned/speaking	Yes
Whether reportable	No