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

**CWP-6237-2026 (O&M)
Date of decision: 17.03.2026**

Mukhtiar Singh

... Petitioner

Vs.

The Punjab State Warehousing Corporation and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

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

Mr. Vishawjeet Singh, Advocate for
Mr. Gourave Bhayya Gilhotra, Advocate
for the respondents.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* seeking quashing of the order dated Nil (Annexure P-6) passed by respondent No.2, which was communicated to the petitioner vide letter dated 18.12.2025 (Annexure P-7) and the orders dated 06.12.2024/12.12.2024 (Annexure P-4) passed by respondent No.1 and further to issue a writ in the nature of *mandamus* directing the respondents to refund the amount of Rs.57,419/-



recovered from the petitioner along with interest and also to pay interest on refunded amount of Rs.1,26,548/- @ 18% *per annum*.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was imposed recovery of Rs.1,83,967/- vide order dated 10.09.2010 (Annexure P-1), against which, he preferred an appeal, however, the same remained pending for more than 12 years. In the meantime, the petitioner stands retired on 31.10.2014. He approached this Court by way of filing CWP-20517-2022, which was disposed of on 09.09.2022 (Annexure P-2) by issuing directions to the appellate authority to decide the aforesaid appeal within a period of four months from the date of receipt of certified copy of that order. In purported compliance of the said order, the appellate authority, vide order dated 14.08.2024 (Annexure P-3), remanded the case back to the punishing authority. Thereafter, on 06.12.2024, the punishing authority, without affording an opportunity of hearing to the petitioner, passed the impugned order (Annexure P-4) based on the report of District Manager, Sangrur dated 12.11.2024. The said report was never supplied to the petitioner. After that, the petitioner preferred the appeal along with an application for condonation of delay in filing the same, however, the appeal was dismissed vide order dated 15.10.2025 (Annexure P-6) on the ground of delay even without considering the explanation given by the petitioner regarding condonation of delay. Learned counsel relies upon a judgment dated 11.02.2026 passed by this Court in a bunch of petitions, lead case of



which is ***CWP-8932-2020*** titled as ***Ankur Garg Vs. Punjab State Warehousing Corporation and another.***

3. Learned counsel for the petitioner further submits that after remanding the case back by the appellate authority, the recovery amount of Rs.1,83,967/- imposed vide order dated 10.09.2010 (Annexure P-1) was reduced by the punishing authority to Rs.57,419/- vide impugned order dated 06.12.2024 (Annexure P-4), however, the differential amount has not been released in favour of the petitioner till date.

4. Learned counsel for the respondents, at the outset, submits that the appeal of the petitioner would be decided on merits without taking any hyper-technical objection regarding limitation. Further, he is not in a position to controvert the fact that after the case was remanded back, the punishing authority modified the order of punishment dated 10.09.2010 (Annexure P-1) reducing the recovery amount from Rs.1,83,967/- to Rs.57,419/-, however, the differential amount of Rs.1,26,548/- has not been released yet.

5. In view of the above, present petition is disposed of. The respondents are directed to supply copy of the report dated 12.11.2024 submitted by District Manager, Sangrur and also to decide the appeal afresh, after affording an adequate opportunity to the petitioner to submit the written statement and the case law, if any, within a period of four months from the date of receipt of certified copy of this order.

6. As such, the petitioner is entitled to the differential amount



of Rs.1,26,548/- on account of recovery amount reduced to Rs.57,419/- from Rs.1,83,967/- vide impugned order dated 06.12.2024 (Annexure P-4), consequent to remand of the case.

7. Needless to say that the petitioner shall also be entitled to interest @6% *per annum*, to be calculated from the date of actual recovery till the date of passing of order of punishment dated 06.12.2024 (Annexure P-4) and the same be released in his favour within a period of two months from today.

8. The pending miscellaneous application(s), if any, shall also be disposed of.

[HARPREET SINGH BRAR]
JUDGE

17.03.2026
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No