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

CWP-8187-2026

Date of decision: 18.03.2026

Sham Lal

....Petitioner

Versus

Punjab State Civil Supplies Corporation Limited
(PUNSUP) and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

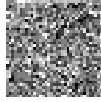
Present: Mr. Padamkant Dwivedi, Advocate and
Ms. Ayushi, Advocate
for the petitioner.

Ms. Mona Yadav, Advocate for
Mr. Ranjit Singh Kalra, Advocate
for the respondent(s)-PUNSUP.

HARPREET SINGH BRAR, J. (ORAL)

1. The 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* for quashing the impugned instructions dated 26.10.2004 (Annexure P-1), for quashing the impugned show cause notice bearing Memo No. ESTT.-MOGA(541)-2020/12926 dated 21.07.2020 (Annexure P-2) and for quashing the impugned order No.ESTT.-MOGA (541)-2020/3358 dated 09.08.2022 (Annexure P-3).

2. Learned counsel for the petitioner *inter alia* contends that a show cause notice dated 21.07.2020 (Annexure P-2) was issued to the petitioner on account of less storage gain of wheat due to moisture during crop year 2016-17 and is purportedly based upon instructions dated 26.10.2004 (Annexure P-1),



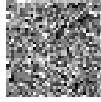
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which prescribe arbitrary norms for storage gain without any scientific basis. The issue of storage gain has already been conclusively examined by this Court in **CWP-27725-2013**, titled as ***Punjab State Warehousing Corporation Field Employees Union versus Union of India and others***, decided on 14.05.2025 (Annexure P-5), and the case of the petitioner is squarely covered by the ratio laid down therein. It is further submitted that the instructions dated 26.10.2004 (Annexure P-1) stand superseded by subsequent instructions dated 30.05.2022; however, the respondents are still relying upon the superseded instructions, rendering the impugned action arbitrary and unsustainable.

3. Learned counsel further relies upon the order passed by this Court in **CWP-3077-2026** titled as ***Malwinder Singh Versus Punjab State Civil Supplies Corporation Limited (PUNSUP)***, decided on 03.02.2026 (Annexure P-8) in which the impugned instructions as well as the impugned show cause notice, were quashed and set aside and the respondent therein was granted liberty to issue fresh show cause notice/charge sheet in terms of ***Punjab State Warehousing Corporation Field Employees Union's case (supra)***.

4. *Per contra*, learned counsel for the respondent-Corporation submits that the impugned punishment order was passed way back on 09.08.2022 (Annexure P-3), as such, the present writ petition cannot be entertained at this stage. However, she could not controvert the fact that the statutory appeal was filed within the limitation period on 30.08.2022 which has not been decided till date. Further, the entire disciplinary proceedings issued against the petitioner are based upon the instructions dated 26.10.2004 which has been set aside by this Court in ***Malwinder Singh's case (supra)***.



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5. In view of the above, without commenting upon the merits of the case, the present petition is allowed. The impugned instructions dated 26.10.2004 (Annexure P-1), show cause notice bearing Memo No.ESTT.-MOGA(541)-2020/12926 dated 21.07.2020 (Annexure P-2) and impugned order No.ESTT.-MOGA (541)-2020/3358 dated 09.08.2022 (Annexure P-3), are hereby quashed and set aside. However, the respondent(s) would be at liberty to issue a fresh show cause notice/charge sheet in terms of ***Punjab State Warehousing Corporation Field Employees Union's case (supra)***.

(HARPREET SINGH BRAR)
JUDGE

18.03.2026
Neha

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