



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

CWP-10755-2026

Date of decision: 09.04.2026

Lalit Kumar and another

....Petitioners

Versus

The Punjab State Cooperative Supply And Marketing
Federation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Shiv Kumar, Advocate and
Mr. Lovedev Singh, Advocate
for the petitioners.

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 and setting aside the impugned order dated 05.12.2025 (Annexure P-2) passed by the Punishing Authority-respondent No.3. Further, for issuance of a writ in the nature of *mandamus* directing respondent No.2 to hear and decide the statutory departmental appeal dated 19.02.2026 (Annexure P-3) along with the application for stay dated 19.02.2026 (Annexure P-4).

2. Learned counsel for the petitioners *inter alia* contends that the service of the petitioners is governed by the Common Cadre Rules, 1990 and Punishment & Appeal Rules, 1990 (Annexures P-1 & P-1/A, respectively). The petitioners were charge sheeted in the year 2016 for alleged financial loss due to deterioration of wheat stocks. The Inquiry Officer recorded that the exact quantum of loss was neither determined nor apportioned amongst the charged officials. Despite this, respondent No.3 passed the impugned order dated



CWP-10755-2026

-2-

05.12.2025 (Annexure P-2) imposing stoppage of two annual grade increments with cumulative effect and recovery of the alleged loss with interest. The personal hearing was concluded on 12.06.2025 but the order was passed after six months and communicated to the petitioners only in the month of February, 2026 after the transfer of respondent No.3 on 21.01.2026 (Annexure P-6). The petitioners filed a statutory appeal on 19.02.2026 (Annexure P-3) along with a stay application (Annexure P-4). Both the appeal as well as the stay application remain undecided till date and in the meantime, the recovery is being made from the salaries of the petitioners. Further, as per the Punjab Government instructions dated 03.03.1997 (Annexure P-7) such appeals are required to be decided within a period of three months. Learned counsel for the petitioners relies upon the judgments rendered by this Court in CWP No.9845 of 2020 titled as ***Tirath Ram Vs. Board of Directors*** decided on 15.07.2020 (Annexure P-9) and CWP No.8880 of 2026 titled as ***Rajvir Bains Vs. The Punjab State Cooperative Supply and Marketing Federation Limited and others*** decided on 30.03.2026 (Annexure P-10) and submits that in the said cases, the representation was disposed of with a direction to decide the statutory appeal within a period of three months and in the meantime the impugned recovery was ordered to be kept in abeyance.

2.1 He further submits that he would be satisfied if a similar direction is issued to respondent No.2 to decide the statutory appeal in a time bound manner.

3. Notice of motion.

4. Mr. T.S. Sidhu, Advocate puts in appearance and accepts notice on



CWP-10755-2026

-3-

behalf of the respondents and files his *memorandum of appearance* in the Court today which is taken on record. He submits that the appeal of the petitioners along with application for stay would be decided in a time bound manner expeditiously as every employee has the right to have his disciplinary proceedings to be concluded within a reasonable period. He further submits that since the statutory appeals preferred by the employees are pending, a reasonable time may be granted for their disposal.

5. In view of the limited prayer made by learned counsel for the petitioners and without commenting further on the merits of the case, the present petition is disposed of. Respondent No.2 is directed to hear and decide the appeal filed by the petitioners along with application for stay in a time bound manner by passing a speaking order after affording them an opportunity of being heard within a period of six months from the date of receipt of certified copy of this order.

6. Till decision of the statutory appeal filed by the petitioners, the impugned recovery order shall be kept in abeyance.

7. Needless to say, if the petitioners are found entitled to the relief sought, the same be granted to them forthwith by respondent No.2.

(HARPREET SINGH BRAR)
JUDGE

09.04.2026

Neha

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