

CWP-18736-2023 & TWO CONNECTED CASES

2026.PHHC.038619



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

103+221 (3 cases)

Date of decision:12.03.2026

1.

CWP-18736-2023

Pawan Kumar

.....Petitioner

VERSUS

The Appellate Authority, The Haryana State Warehousing Corporation and
another

.....Respondents

2.

CWP-20420-2023

Manisha and others

.....Petitioners

VERSUS

The Appellate Authority, The Haryana State Warehousing Corporation and
another

.....Respondents

3.

CWP-19265-2023

Satyabir Singh

.....Petitioner

VERSUS

CWP-18736-2023 & TWO CONNECTED CASES

2026.PHHC.038619



The Appellate Authority, The Haryana State Warehousing Corporation and
another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Tahaf Bains, Advocate for the petitioner(s) in all cases.
(through V.C)

Mr. Satyam Tandon, Advocate for the respondents in all cases.

HARPREET SINGH BRAR, J. (Oral)

CM-3697-CWP-2026 in CWP-18736-2023

The present application has been filed under Section 151 CPC for permission to place on the record the written statement on behalf of respondents No.1 and 2 with Annexures R-1 and R-2.

In view of the grounds mentioned in the application, the same is allowed, as prayed for, subject to all just exceptions. Written statement on behalf of respondents No.1 and 3 along with Annexures R-1 and R-2 are ordered to be taken on record.

Registry is directed to place the same at the appropriate place.

CM-3696-CWP-2026 in CWP-20420-2023

The present application has been filed under Section 151 CPC for permission to place on the record the written statement on behalf of respondents No.1 and 2 with Annexures R-1 and R-2.

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In view of the grounds mentioned in the application, the same is allowed, as prayed for, subject to all just exceptions. Written statement on behalf of respondents No.1 and 3 along with Annexures R-1 and R-2 are ordered to be taken on record.

Registry is directed to place the same at the appropriate place.

CM-3687-CWP-2026 in CWP-19265-2023

The present application has been filed under Section 151 CPC for permission to place on the record the written statement on behalf of respondents No.1 and 2 with Annexures R-1 and R-2.

In view of the grounds mentioned in the application, the same is allowed, as prayed for, subject to all just exceptions. Written statement on behalf of respondents No.1 and 3 along with Annexures R-1 and R-2 are ordered to be taken on record.

Registry is directed to place the same at the appropriate place.

MAIN

1. This order shall dispose of the above-mentioned writ petitions as they arise from a similar factual matrix. However, for the sake of brevity, the facts are taken from **CWP-18736-2023**.

2. The present petition(s) have been filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction in the nature of *mandamus* directing the respondent-Corporation not to effect recovery from the petitioner pending the decision of the application for stay made in the appeals dated 12.08.2023 (Annexures P-2 and P-4) filed by

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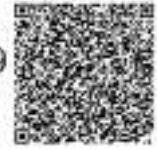
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petitioner against orders dated 18.05.2023/24.07.2023 (Annexure P-1) and 29.05.2023/07.08.2023 (Annexure P-3) respectively passed by respondent No.2, pending before respondent No.1. in spite of the fact that the petitioner has been extremely vigilant in protecting the interest of the Corporation and no allegation was sustainable against the petitioner, yet without conducting any proper enquiry and based on no evidence the orders (Annexures P-1 and P-3) have been passed in the absence of any statutory regulations with regard to storage gain in wheat stocks especially when this Court has already seized the matter in a bunch of writ petitions connected along with **CWP-27725-2013** and policies/instructions which have been passed by Corporation and the recovery along with punishment has wrongly been imposed upon the petitioner in violation of the settled law. Further praying for directing respondent No.1 to decide the applications for stay made along with appeals dated 12.08.2023 (Annexures P-2 and P-4) filed by the petitioner against orders dated 18.05.2023/24.07.2023 (Annexure P-1) and 29.05.2023/07.08.2023 (Annexure P-3) respectively passed by respondent No.2.

3. Learned counsel for the petitioner(s), at this stage, submits that the petitioner(s) would be satisfied if a direction is issued to the respondents/competent authority to decide the appeals filed by the respective petitioner(s) by passing a reasoned and speaking order, within a time-bound manner. Learned counsel for the petitioner(s) further submits that the

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petitioner(s) have approached this Court much before deciding the appeal filed by them and this Court has already stayed the recovery while issuing the notice of motion.

4. On the other hand, learned counsel for the respondents submits that he has no objection in case a direction is issued to the respondents/competent authority to hear and decide the respective appeal of the petitioner(s) by passing a speaking order in a time bound manner. He further submits that the respondents are obligated to decide the statutory appeal within a reasonable despatch.

5. In view of the limited prayer made by counsel for the petitioner(s), all the three writ petition(s) are disposed of and the respondents/competent authority is directed to hear and decide the pending respective appeal(s) of the petitioner(s), by passing a speaking order in a time bound manner, within a period of six months from the date of receipt of certified copy of this order.

6. Till such decision is rendered, the recovery in terms of the punishment order(s) shall remain stayed.

7. Pending miscellaneous application(s), if any, shall also stands disposed of.

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8. Photocopy of this order be placed on the file of connected cases.

(HARPREET SINGH BRAR)
JUDGE

March 12, 2026
P.C

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No