

(2020) 12 P&H CK 0379

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 22217 Of 2020(O&M)

Amrik Singh

APPELLANT

Vs

Punjab State Warehousing Corporation And Another

RESPONDENT

Date of Decision : 22-12-2020

Acts Referred:

Citation : (2020) 12 P&H CK 0379

Hon'ble Judges : Tejinder Singh Dhindsa, J

Bench : Single Bench

Advocate : J.P.Rana, A.S.Miglani

Final Decision : Disposed Of

Judgement

Tejinder Singh Dhindsa, J

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

As per pleadings on record petitioner was serving on the post of Godown Attendant under the Punjab State Warehousing Corporation and has since

retired. Vide order dated 26.06.2019 (Annexure P-1) passed by the Managing Director of the Corporation a penalty of recovery of Rs. 2,81,095/- was

imposed upon the petitioner.

The short grievance raised in the petition is that the statutory appeal dated 26.09.2019 (Annexure P-2) preferred by the petitioner against the order of

recovery is not being dealt with and is still pending consideration.

The only prayer made in the petition is for issuance of directions to the Appellate Authority to take a time bound decision on the appeal.

Notice of motion.

Since an advance copy of the petition had already been served upon the respondents-Corporation, Mr.A.S.Miglani, Advocate enters appearance.

Counsel for the respondents-Corporation does not dispute the factual premise that the statutory appeal was indeed filed and is pending final decision.

This Court is of the considered view that the Appellate Authority is duty bound to take a final decision on the appeal dated 26.09.2019 (Annexure P-2)

as it was towards resorting to exhausting statutory remedy.

As such without commenting on the merits of the impugned order of recovery passed by the Punishing Authority/Managing Director, the instant

petition is disposed of with a direction to the 2nd respondent/Appellate Authority, Punjab State Warehousing Corporation to take a final decision on the

appeal dated 26.09.2019 (Annexure P-2) expeditiously and in any case within period of two months from the date of receipt of a certified copy of this

order.

Disposed of.