



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

112

**CWP-24000-2025 (O&M)
Date of decision: 25.08.2025**

Avinash Goyal

....Petitioner

Versus

Punjab State Civil Supplies Corporation Limited (PUNSUP) and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Padamkant Dwivedi, Advocate
for the petitioner.

Mr. Birinder Pal Sharma, Advocate
for respondents No.1 and 2.

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 instructions issued vide circular letter dated 26.10.2004 (Annexure P-1), whereby norms for realization of excess (storage gain) on account of wheat stocks stores in godowns/open plinths were fixed, the punishment order dated 09.10.2024 (Annexure P-3) passed by respondent No.1, imposing the punishment of recovery of Rs.88,164/- from the petitioner and the order dated 22.07.2025 (Annexure P-6) passed by respondent No.2- appellate authority, vide which statutory appeal filed by the petitioner has been dismissed and further to issue a writ in the nature of mandamus directing respondent No.1 to withdraw the show cause notice, in view of



the judgment dated 14.05.2025 (Annexure P-7) passed in CWP-27725-2013.

2. Learned counsel for the petitioner, *inter alia*, contends that the controversy involved in the present case is squarely covered by the judgment rendered by the Coordinate Bench of this Court in CWP-27725-2013 titled as '***Punjab State Warehousing Corporation Field Employees Union Vs. Union of India and others***', decided on 14.05.2025, wherein it was directed to decide all pending issues including the disciplinary proceedings with regard to weight loss/shortage in the foodgrains stored in terms of the policy dated 22.10.2021 and specifically removed the prejudice to adopt the cut off date regarding implementation of the said policy prospectively and the policy, which was formed after obtaining opinion from the domain experts, was made applicable to all pending cases. However, the statutory appeal filed by the petitioner was decided by relying upon the instructions issued vide circular letter dated 26.10.2004 (Annexure P-1), which is contrary to the directions issued by this Court vide judgment dated 14.05.2025 passed in CWP-27725-2013 (Annexure P-7).

3. Learned counsel for respondents No.1 and 2 could not controvert the fact that the issue involved in the present case is squarely covered by judgment of this Court in ***Punjab State Warehousing Corporation Field Employees Union's case (supra)*** and submits that the appeal of the petitioner would be decided again in terms of the said judgment.



4. In view of the above and considering the fact that interim orders have been passed in similar matters staying the punishment imposed and the proceedings initiated against employees on the issue of weight gain/shortage in stored foodgrains, it is directed that if the petitioner has raised objections to the punishment or proceedings by relying on the policy/Standard Operating Procedure dated 22.10.2021, no coercive steps shall be taken against the petitioner until a fresh decision is taken. Respondent No.2 is further directed to reconsider and decide the petitioner's statutory appeal afresh, strictly in accordance with law and in light of the judgment dated 14.05.2025 passed in ***CWP No. 27725 of 2013*** titled as ***Punjab State Warehousing Corporation Field Employees Union vs. Union of India and others***, by passing a reasoned and speaking order within a period of eight weeks from the date of receipt of a certified copy of this order. Thereafter, the concerned authority shall be at liberty to proceed in accordance with law.

5. The petition stands disposed of accordingly.

(HARPREET SINGH BRAR)
JUDGE

25.08.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No