



2026:PHHC:062441

2026:PHHC:062441

250+251

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

1)

CWP-33994-2024

Date of decision: 23.04.2026

Surinder Kumar

....Petitioner

Versus

Punjab State Civil Supplies Corporation Ltd. and another

...Respondents

2)

CWP-34009-2024

Surinder Kumar

....Petitioner

Versus

Punjab State Civil Supplies Corporation Ltd. and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. J.P. Rana, Advocate
for the petitioner.**HARPREET SINGH BRAR, J. (ORAL)**

1. This common order shall dispose of the aforementioned civil writ petitions as they arise from a similar factual matrix. However, for the sake of brevity, the facts are taken from CWP-33994-2024.

2. The present civil writ petition has been filed under Articles 226/227 of the Constitution for issuance of a writ in the nature of *certiorari* for quashing the order dated 27.09.2019 (Annexure P-5), order dated 02.07.2024 (Annexure P-10) as well as for quashing the charge sheet dated 12.05.2015 (Annexure P-1).

3. On 17.12.2024, the following order was passed:-

*“The petitioner has filed the instant writ
petition under Articles 226/227 of the Constitution of*



India, seeking a writ of certiorari, quashing the order dated 27.09.2019 (Annexure P-5), whereby recovery of Rs.4,44,484.50 has been ordered to be effected from the petitioner and punishment of stoppage of one increment without cumulative effect has been imposed upon him; order dated 02.07.2024 (Annexure P-10), whereby an appeal filed by the petitioner against the order dated 27.09.2019 has been rejected by the Appellate Authority and charge-sheet dated 12.05.2015 (Annexure P-1).

Notice of motion.

Ms. Ayushi Sharma, Advocate has put in appearance on behalf of the respondents and seeks time to file reply.

Adjourned to 14.01.2025.”

4. Thereafter, learned counsel for the respondents-Corporation has sought time to file reply for the first time on 17.12.2024 and till date, neither the reply has been filed nor anyone has caused appearance on behalf of the respondents-Corporation. As such, the stand taken by learned counsel for the petitioner in the present writ petition remains uncontroverted. Facing with this situation, this Court has no hesitation to decide the case on merits.

5. Learned counsel for the petitioner *inter alia* contends that the impugned disciplinary action was taken against the petitioner on account of less storage gain of wheat for the year 2011-12 which is purportedly based upon the instructions dated 26.10.2004 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 No.27725 of 2013 titled as ***Punjab State Warehousing Corporation Field Employees Union Vs. Union of India and others*** decided on 14.05.2025 and submits that the case of the



CWP-33994-2024
CWP-34009-2024

-3-

petitioner is squarely covered by the ratio of law laid down therein. He further submits that the instructions dated 26.10.2004 stand superseded by subsequent instructions dated 30.05.2022.

6. Learned counsel further relies upon the orders passed by this Court in **CWP-37599-2025 and connected matters**, titled as ***Sachin Kumar and others Versus Punjab State Civil Supplies Corporation Limited (PUNSUP)***, decided on 22.12.2025, CWP No.3077 of 2026 titled as ***Malwinder Singh Vs. Punjab State Civil Supplies Corporation Limited (PUNSUP)*** decided on 03.02.2026 and CWP No.5099 of 2026 titled as ***Sukhchain Singh and another Vs. Punjab State Civil Supplies Corporation Limited (PUNSUP)*** decided on 19.02.2026, in which charge sheets and impugned punishment orders were quashed and set aside.

7. In the absence of any assistance or reply by the respondents-Corporation, the averments made by learned counsel for the petitioner remain uncontroverted, as such, this Court has no other option but to allow the present petition.

8. In view of the above, without commenting further on the merits of the case, both the aforementioned writ petitions are allowed. The orders dated 27.09.2019 (Annexure P-5), 02.07.2024 (Annexure P-10) & charge sheet dated 12.05.2015 (Annexure P-1) (in CWP-33994-2024) as well as the orders dated 26.09.2019 (Annexure P-7), 02.07.2024 (Annexure P-13), enquiry report dated 27.02.2018 (Annexure P-3) & charge sheet dated 31.08.2016 (Annexure P-1) (in CWP-34009-2024), are hereby quashed and set aside. Further, the



2026:PHHC:062441



2026:PHHC:062441

CWP-33994-2024
CWP-34009-2024

-4-

respondents would be at liberty to issue a fresh show cause notice/charge sheet against the petitioner in terms of the ***Punjab State Warehousing Corporation Field Employees Union's case (supra)***.

9. A photo copy of this order be placed on the file of connected case.

(HARPREET SINGH BRAR)
JUDGE

23.04.2026
Neha

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