

HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JODHPUR

S.B. Civil Writ Petition No. 18616/2022

Tara Chand Dotania S/o Shri Mangal Chand Dotania, aged about 42 Years, R/o Plot No. 243, Sun City, Sikar Road, Jaipur (Raj.).

----Petitioner

Versus

1. Cotton Corporation of India, Kapas Bhawan, Plot No. 3/A, Sector-10, CBC Belapur, Navi Mumbai through its Chairman-Cum-Managing Director.
2. Branch Manager, Branch Office, Cotton Corporation of India, 161-162, Second Floor, Care Zone Plaza, Shastri Nagar, Bhilwara (Raj.).

----Respondents

For Petitioner(s) : Mr. P.S. Chundawat.

HON'BLE MR. JUSTICE ARUN BHANSALI

Order

09/12/2022

Heard.

It is submitted by the counsel for the petitioner that the respondents have issued notices to the petitioner pertaining to difference between the press weight and the delivery weight of the cotton bales, based on the circular dated 04.04.2016 (Annex.11) and despite reply by the petitioner, the recovery has been started from his salary.

Submissions have been made that even in terms of the circular dated 04.04.2016 in case of extraordinary difference between the press weight and the delivery weight, the matter has to be referred to the vigilance for investigation and it is further

provided that as the procedure of investigation and action against concerned centre for abnormal cases of weight shortage take longtime, the amount may be recovered from the Centre In-charge/Ginning Pressing Factories.

It is submitted that besides the fact that the recovery is wholly unreasonable and illegal, as no investigation even has been started, the recovery from petitioner's salary is wholly unjustified based on assumptions in terms of Circular dated 04.04.2016 (Annex.11).

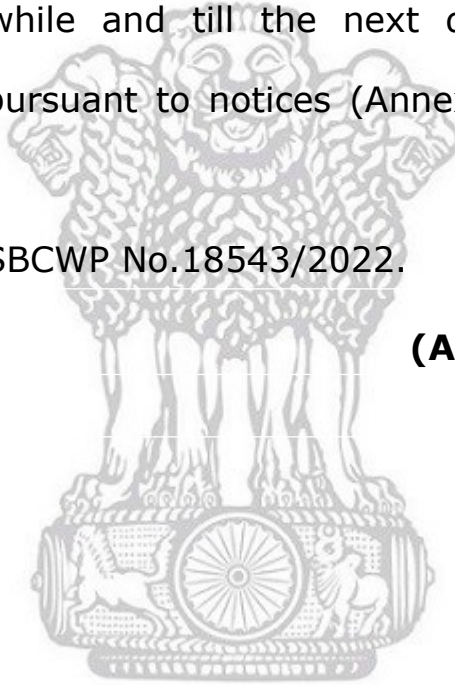
In view of submissions made, issue notice. Issue notice of stay petition as well. Notices are made returnable on 10.01.2023.

In the meanwhile and till the next date, recovery from petitioner's salary pursuant to notices (Annex.4, 5 and 22) shall remain stayed.

Connect with SBCWP No.18543/2022.

(ARUN BHANSALI),J

203-DJ/-



सत्यमेव जयते