

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 18589/2022

Om Prakash Kalwa S/o Shri Devi Lal Kalwa, Aged About 52
Years, 68, Mahaveer International Colony, Sri Ganganagar (Raj.).

----Petitioner

Versus

1. Cotton Corporation Of India, Kapas Bhawan, Plot No. 3/a,
Sector-10, Cbd Belapur, Navi Mumbai Through Its
Chairman-Cum-Managing Director.
2. Branch Manager, Branch Office, Cotton Corporation Of
India, Kapas Bhawan, 158-185, Jawahar Nagar, Sri
Ganganagar (Raj.).

----Respondents

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

JUSTICE DINESH MEHTA

Order

15/12/2022

1. Heard.
2. 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.19) and despite reply by the petitioner, the recovery has been started from his salary.
3. 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 long time, the amount may be recovered from the Centre In-charge/ Ginning Pressing Factories.

4. 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.19).

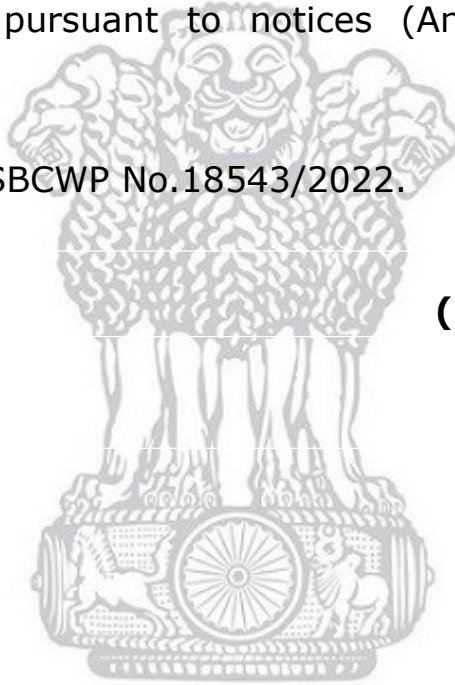
5. In view of submissions made, issue notice. Issue notice of stay petition as well. Notices are made returnable on 10.01.2023.

6. In the meanwhile and till the next date, recovery from petitioner's salary pursuant to notices (Annex.2 to 17) shall remain stayed.

7. Connect with SBCWP No.18543/2022.

(DINESH MEHTA),J

286-Inder/-



सत्यमेव जयते