

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

CWP No.13738 of 2015
Date of decision: 13.07.2015

Deep Chand

... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sumit Gupta, Advocate, for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

A writ in the nature of mandamus is prayed for, so as to direct the respondents to release the retrial benefits i.e. gratuity, leave encashment, commutation, pension and other benefits along with interest, the petitioner has since retired on 28.02.2015. The petitioner was appointed as Peon on 17.03.1998 and was subsequently promoted as LDC. On attaining the age of superannuation i.e. 60 years, he retired from service w.e.f. 28.02.2015. As evident from the order dated 25.02.2015, no charge-sheet/show cause notice/inquiry was pending against the petitioner at the time of his retirement. As per No Dues Certificates issued by the SDO 'OP' Sub Division, UBHVN, Jhajjar, nothing was due against him. Likewise, the No Dues Certificates issued by the SDO 'OP' City Sub Division, UBHVN, Jhajjar, also shows that nothing was due against the

petitioner. However, despite the lapse of considerable time and for no tangible reason the retrial benefits like gratuity, leave encashment, commutation and pension etc. have not been released to the petitioner. So much so, prior to the institution of this petition, petitioner even represented to the respondents vide representation dated 14.05.2015 (Annexure P4). But that too has not been heeded to.

Learned counsel for the petitioner submits that let this petition, at this stage, be disposed of only with a direction to the respondents to consider and decide the representation (Annexure P4), served by the petitioner, within a specified time. Particularly, as the petitioner is a victim of an absolute inaction at the instance of the respondents.

That being so, and without expressing any opinion on merit, this petition is disposed of with a direction to the respondents, to consider and decide the claim of the petitioner, as set out in his representation dated 14.05.2015 (Annexure P4), strictly in accordance with the law, within a period of one month from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

However, it is made clear that if the needful is not done within the time stipulated as above, petitioner shall be at

liberty to move an application seeking revival of the instant petition for appropriate orders.

July 13, 2015
Rajan

(Arun Palli)
Judge