

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

CWP No.2426 of 2015

Date of decision:12.02.2015

Bimal Kumar

... Petitioner

Vs.

Punjab State Power Corp. Ltd. & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. R.K. Arora, Advocate for the petitioner.

.....

TEJINDER SINGH DHINDSA, J.

The petitioner, who retired as Assistant Lineman from the Punjab State Power Corporation Limited on 30.11.2013 has filed the instant writ petition raising a two fold grievance. In the first instance, it has been pleaded that till date the admissible retiral benefits such as pension, gratuity, GPF, commutation of pension etc. have not been released and that too, without any justifiable basis. The second claim raised in the petition is for directing the respondents to count the daily wage/work charge service rendered by the petitioner towards qualifying service for grant of pension and other retiral benefits in terms of the judgment rendered by the Hon'ble Supreme Court in ***Civil Appeal No.4903 of 2009 (Dakshin Haryana Bijli Vitran Nigam & others Vs. Bachan Singh)***.

Having heard counsel for the petitioner, this Court deems it appropriate to dispose of the writ petition with a direction to respondent No.2 to consider the claim of the petitioner and to take a final decision on the legal notice dated 11.02.2014 (Annexure P-7) strictly in accordance with law and by passing a speaking order within a period of three months from

the date of receipt of a certified copy of this order.

It is further observed that in case, the claim of the petitioner is accepted, the consequential financial benefits be released to the petitioner without any further delay.

It would also be open for the petitioner to submit a supplementary representation towards fortifying his claim as raised in the petition and respondent No.2 would be obligated to even consider the same.

Disposed of.

12.02.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**