

CWP No. 14958 of 2017
DECIDED ON: JULY 13, 2017

....PETITIONER

VERSUS

PUNJAB STATE POWR CORPORATION LTD. AND ORS.

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jaideep Verma, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of writ in the nature of mandamus directing the respondents to release the pending amount of leave encashment @ ₹1,55,673/- alongwith interest @ 18% P.A. and reaffixed the pension.

It has been *inter-alia* contended by learned counsel for the petitioner that petitioner is entitled to a sum of ₹4,08,000/- on account of leave encashment, as per order No. 647/General Manager (O&M), dated September 08, 2016 (Annexure P-1) but the respondents have not released the full payment of amount despite the fact that a period of more than one year has elapsed for the retirement of petitioner. He further submits that the said amount has been illegally withheld by the respondents.

Learned counsel for the petitioner further contends that a legal notice dated May 19, 2017 was served upon the respondents but that legal notice was forwarded to respondent No.4-General Manager (O&M), GHTP, Lehra Mohabbat, Bathinda, as is evident from reply dated May 24, 2017 (Annexure P-4). However, till date the matter has not been finalised.

Instant petition is disposed of with a direction to respondent No.4-General Manager (O&M) GHTP, Lehra Mohabbat, Bathinda to look into the grievances unfolded by the petitioner in his legal notice dated May 19, 2017 (Annexure P-3) and to take an appropriate decision in accordance with law and Rules within a period of three months from the date of certified copy of this order, however in case, respondent No.4 comes to the conclusion that petitioner is entitled to the amount in question, to release the same and while releasing the amount, if any, he shall have to consider the claim of the petitioner with regard to interest on the delayed payment.

JULY 13, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*