

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.22722 of 2013(O&M)
Date of Decision: 01.09.2017

Gurnam Singh

--Petitioner

Versus

Punjab State Power Corporation
Ltd. and others

--Respondents

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

Present:- Mr. G.S. Nahel, Advocate for the petitioner.

Mr. R.L. Sharma, Advocate for the respondents.

TEJINDER SINGH DHINDSA.J

Petitioner, who was serving as a Lineman under the respondent Punjab State Power Corporation Ltd. filed the instant petition impugning order dated 30.8.2013 and in terms of which he stands retired w.e.f. 31.7.2013 upon attaining the age of superannuation i.e. 58 years.

The entire case set up on behalf of the petitioner is that the impugned order of retirement has been passed by taking his date of birth as 9.7.1955, whereas his date of birth stands corrected and recorded as 9.7.1958. Assertion is that the petitioner should have been retired w.e.f. 31.7.2016.

During the course of hearing today counsel for the petitioner upon instructions from the petitioner namely Gurnam Singh, who is also present in Court submits that he gives up his challenge to the impugned order dated 30.8.2013. Counsel submits that the petitioner is accepting his retirement from the post of Lineman w.e.f. 31.7.2013 on completion of 58 years of age.

Counsel, however, contends that the retiral benefits upon taking the date of retirement of the petitioner as 31.7.2013 have not been released to him till date.

Counsel appearing for the respondents would submit that it is only on account of pendency of the instant writ petition that the retiral benefits had not been released. He, however, furnishes an undertaking that in view of the petitioner having given up his challenge to the impugned order dated 30.8.2013 (Annexure P-5), all the admissible pensionary/retiral benefits in accordance with law would be released to the petitioner, within a period of 3 months from today.

In the light of such statement made by counsel for the respondents, nothing survives in the instant petition and the same is, accordingly, dismissed as not pressed.

(TEJINDER SINGH DHINDSA)
JUDGE

01.09.2017

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No