

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

Sr. No.125

Civil Writ Petition No.17197 of 2017
DECIDED ON: August 03, 2017

KUNDAN LAL

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Satpreet Grewal Kapila, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of mandamus directing the respondents to release the entire retiral benefits to him as well as to fix his monthly pension who stood retired on August 31, 2016 on attaining the age of superannuation.

2. Learned counsel for the petitioner has contended that earlier also petitioner approached this Court for regularization of his services which rendered by him from June 01, 1982 to November 24, 1994 as work charge Carpenter and said Civil Writ Petition No.26053 of 2016 was disposed of vide order dated December 16, 2016 with direction to respondents to decide legal notice dated September 02, 2016 by passing a

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speaking order within a period of three months from the date of receipt of a certified copy of this order. But in pursuance of aforesaid order, no conscious or final decision has been taken by the concerned authority so far. As such, petitioner was also constrained to serve a contempt notice dated March 07, 2017 (Annexure P-2) for non-compliance of order dated December 16, 2016 passed by this Court.

3. Learned counsel for the petitioner further contends that still respondents are sitting of the matter. Non-disbursal of retiral benefits and fixation of pension, petitioner is suffering financial hardship.

4. Instant petition is disposed of with a direction to respondent No.5-Senior XEN, Distribution Division, Dasuya Division, Punjab State Power Corporation Limited, Dasuya, District Hoshiarpur to look into the grievances unfolded by the petitioner in his previous legal notice dated September 02, 2016 as well as contempt notice dated March 07, 2017 (Annexure P-2) and take a conscious decision by passing a speaking order that too, after giving a patience hearing to the petitioner within a period of three months from the date of receipt of certified copy of this order. Respondent No.5 is further directed to disburse the retiral benefits, in case, he comes to the conclusion petitioner is entitled to it within a period of next 45 days.

5. However, if petitioner still feel aggrieved of the orders passed by respondent No.5, he shall be at liberty to approach this Court.

August 03, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**