

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

Sr. No.117

Civil Writ Petition No.17454 of 2017
DECIDED ON: August 09, 2017

KEWAL KRISHAN

...PETITIONER

VERSUS

THE CHIEF MANAGING DIRECTOR, PSPCL AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Brijesh Nandan, 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 count the service rendered by him from July 03, 1972 to May 21, 1985 with Beas Construction Board as well as in BBMB Talwara Township on temporary and ad hoc (Regular) basis for the purpose of pension and other retiral benefits along with service rendered by him ever since May 21, 1985 to March 31, 2012 when petitioner retired on attaining the age of superannuation and further to fix the pay (initial) w.e.f. May 21, 1985 the date of joining according to 4.4(c) of Punjab CSR Vol.I Part-I as per last pay drawn by the petitioner on May 21, 1985 with BBMB along with arrear of pay as well as arrear of pension as pensionary benefits.

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2. Learned counsel for the petitioner contends that though a legal notice was issued to the respondents on April 11, 2017 (Annexure P-10) but neither any reply to the said legal notice has been received nor any final order has been passed by the respondents.

3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.1-Chief Managing Director, Punjab State Power Corporation Ltd., The Mall Patiala to decide legal notice dated April 11, 2017 (Annexure P-10) in a time bound manner.

4. Instant petition is disposed of with a direction to respondent No.1-Chief Managing Director, Punjab State Power Corporation Ltd., The Mall Patiala to look into the grievances unfolded by the petitioner in his legal notice dated April 11, 2017 (Annexure P-10) 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.1 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. Factum of interest in view of judgment in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* be considered.

5. However, if petitioner still feel aggrieved of the orders passed by the Department, he shall be at liberty to approach this Court.

August 09, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**