

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

Sr. No.123

Civil Writ Petition No.22404 of 2017
DECIDED ON: September 29, 2017

JOGINDER SINGH

..PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION LTD. AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.K. Rattan, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to grant of revised pension as well as pensionary benefits by counting work charge service w.e.f. September 14, 1986 to May 31, 1999, which becomes 12 years & 8 months approx. along with regular service w.e.f. June 01, 1999 to June 30, 2013, which becomes around 14 years, 01 month and 02 days approx. and total service become 26 yrs. 9 month & 20 days, but petitioner granted pension only for 28 half years, whereas he is

Civil Writ Petition No.22404 of 2017

entitled for pension for 27 years (54 half years) and further grant of interest @ 12% p.a. on revised pension and other pensionary benefits for which petitioner is entitled.

2. Notice of motion.

3. At the asking of the Court, Mr. Manoj Bajaj, Additional Advocate General, Punjab accepts the notice on behalf of the respondents-State. Copy of the petition be supplied to learned State counsel during the course of the day.

4. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on July 16, 2017 (P-4) but till date neither any reply to the said legal notice has been received nor any final order has been passed by the respondents.

5. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.3 to decide his legal notice dated July 16, 2017 (P-4) in a time bound manner.

6. In view of above, instant petition is disposed of with a direction to respondent No.3-Executive Engineer, Distribution Division, Punjab State Power Corporation Limited, Dasuya, Distt. Hoshiarpur to look into the grievances unfolded by the petitioner in his legal notice dated July 16, 2017 (P-4) and to take a conscious decision by passing a speaking order in view of judgment ***“Kesar Chand vs. State of Punjab, AIR 1988, Punjab, 265*** within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him within a period of next one month. Factum of interest in view of judgment passed by Full Bench of this Court in case ***A.S. Randhawa vs. State of***

Civil Writ Petition No.22404 of 2017

Punjab & Ors., 1997 (3) SCT 468 as well as judgment passed by this Court in **Baldev Singh vs. State of Punjab and Anr.**, CWP No.24845 of 2015, decided on August 01, 2017, be also considered on delayed payment(s).

7. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority concerened, he shall be at liberty to approach this Court.

September 29, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No