

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

Sr. No.131

Civil Writ Petition No.23107 of 2017
DECIDED ON: October 09, 2017

HAWA SINGH

..PETITIONER

VERSUS

**UTTAR HARYANA BIJLI VITRAN NIGAM LIMITED AND
OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jagbir Malik, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to release the withheld amount of pension, gratuity, commutation of pension and arrears of salary and leave encashment with interest @ 18% per annum on the delayed payment of retiral benefits.

2. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on July 11, 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.

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3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.1 to decide aforesaid legal notice in a time bound manner.

4. Instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioner in his legal notice dated July 11, 2017 (P-4) and to take a conscious decision by passing a speaking order as per rules and regulations as well as judgment passed by this Court in case ***Ajit Singh vs. Uttar Haryana Bijli Vitran Nigam Limited, 2012(3) SCT 140*** 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 30 days. Factum of interest in view of judgment passed by Full Bench of this Court in case ***A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*** as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as ***Charan Dass vs. State of Punjab & Ors.*** decided on July 11, 2017, be also considered on delayed payment(s).

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

October 09, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**