

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 24306 OF 2017
DECIDED ON: OCTOBER 27, 2017

BALKAR SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER COR. LTD
AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to grant revised pension and other pensionary benefits by counting work charge service w.e.f 01.10.1978 to 08.09.1994, which becomes 15 years, 11 months and 8 days approx (condoning/excluding the breaks, if any) along with the regular service w.e.f. 09.09.1994 to 28.02.2007, which becomes around 12 years, 5 months and 21 days approx and total service become 28 years 4 months and 29 days, but the petitioner granted pension only for 25 half years, whereas he is entitled for pension for 28 years (56 half years). And further to grant interest @ 12% per annum on revised pension and other pensionary benefits.

2. At the very outset of the arguments, learned counsel for the

petitioner submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide legal notice dated 12.08.2017 (Annexure P-5), within a stipulated period.

3. Instant petition is disposed of with a direction to the respondent(s) to look into the grievances unfolded by the petitioner in his legal notice dated 12.08.2017 (Annexure P-5) and to deal with and dispose of the same, strictly in accordance with Service Rules as well as in the light of observations made by this Court in ***“Kesar Chand v. State of Punjab and others”, AIR 1988, P&H, 265*** and ***Hazura Singh v. State of Punjab, 2004 (1) SCT 695***, within a period of three months from the date of receipt of certified copy of this order. In case, the concerned authority comes to the conclusion that petitioner is entitled to the benefit claimed, to release the same within a period of next one month.

4. The matter with regard to grant of interest on delayed payment shall also be considered in view of the observations made by Full Bench of this Court in case captioned as ***“R.S. Randhawa v. State of Punjab”, 1997 (3) RSJ 318***.

5. However, if the petitioner still feels aggrieved against the order passed by the concerned authority, he shall be at liberty to approach this Court.

OCTOBER 27, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***