

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

Sr. No.126

Civil Writ Petition No.28211 of 2017
DECIDED ON: December 12, 2017

JAGJIT SINGH JOGA

..PETITIONER

VERSUS

**PUNJAB STATE POWER CORPORATION LIMITED (PSPCL)
PATIALA AND OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sonia G. Singh, 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 pensionary benefits i.e. Pension, Gratuity, Provident Fund etc. along with interest @ 18% per annum on the delayed payment of the pensionary benefits, with further prayed to fix the pension of the petitioner after granting 16/23 years service benefits as per Circular dated 23.04.1990.

2. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on May 20, 2016 (P-15) 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 respondents to decide the aforesaid legal notice within some specified period.

4. Instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in his legal notice dated May 20, 2016 (P-15) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities come 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 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 and Instruction No.1/15/90IFPIII/4226 dated May 10, 1990 issued by the Punjab Government, 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.

December 12, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**