

**CWP No.10853 of 2018**  
**DECIDED ON: MAY 03, 2018**

**.....PETITIONER**

## VERSUS

**PUNJAB STATE POWER CORPORATION LIMITED & ORS**

## .....RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Amandeep Singh Manaise, Advocate  
for the petitioner.

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**JASPAL SINGH, J (ORAL)**

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to count his ad-hoc service rendered by him prior to his regularization, towards qualifying service for the purpose of pension and retiral benefits as per the law laid down in **“Kesar Chand vs. State of Punjab; 1998 (2) PLR 223** WITH FURTHER DIRECTION to provide GPF Scheme as applicable to the employees recruited in Punjab Government Service prior to 01.01.2004 in view of law laid down in **Harbans Lal vs. State of Punjab and others; 2012 (3) SCT 362 (DB)** and also to release all the consequential pensionary and retiral benefits with arrears thereof along-with interest 9% per annum on the delayed payment(s) thereof.

2. Learned counsel for the petitioner submits that though a legal notice dated 17.02.2018 (P-7) was served upon the respondents but despite the fact that a period of more than two months has elapsed neither reply to the notice has been received nor any conscious decision has been taken by the authorities. He further submits that petitioner feels satisfied in case a direction is issued to respondents to consider and decide the afore-said legal notice dated 17.02.2018 (P-7) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents particularly to respondent No.1 to look into the grievances unfolded by the petitioner in the legal notice dated 17.02.2018 (P-7) and to decide the same in accordance with law, rules, regulations and instructions issued by the Government from time to time as well as in view of keeping in view the judgment passed by Hon'ble Division Bench of this Court in “*Harbans Lal vs. State of Punjab and others*”; 2012 (3) SCT 362 (DB). within a period of three months from the date of receipt of certified copy of this order.

4. However, in case petitioner still feels aggrieved by any order of the afore-said authority, he shall be at liberty to have recourse to other remedies available to him under law including to approach this Court.

MAY 03, 2018  
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(JASPAL SINGH)  
JUDGE

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |