

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.11428 OF 2018
DECIDED ON: MAY 09, 2018

RAM PAUL

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORP. LTD.
AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J.

By virtue of instant petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ 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. 24.04.1981 to 21.11.1994, which becomes 13 years & 7 months approx. along with regular service w.e.f. 22.11.1994 to 30.04.2009, which becomes around 14 years and 05 month and 9 days approx. and total service become 28 years approx., but he was granted pension only for 29 half years, whereas he is entitled for pension for 28 years (56 half years) and further grant of interest @ 12% p.a. on revised pension and other pensionary benefits for which he is entitled.

2. At the very outset of the arguments, learned counsel for the petitioner contends that though legal notice dated 21.03.2018 (P-5) was duly served upon the respondents but till date neither any reply to the said legal

notice has been received nor any conscious decision has been taken by the respondents.

3. Learned counsel for the petitioner further submits that he feels satisfied in case direction is issued to respondent No.2 to decide his legal notice (P-5) in a time bound manner.

4. Accordingly, instant petition is disposed of with a direction to respondent No.2-Senior XEN, Distribution Division, Punjab State Power Corporation Limited, Dasuya, Distt. Hoshiarpur to look into the grievances unfolded by the petitioner in legal notice (P-5) 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 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).

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority concerned, he shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

MAY 09, 2018
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(JASPAL SINGH)
JUDGE

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