

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20280 OF 2018
DECIDED ON: AUGUST 16, 2018

BUDH LAL

.....PETITIONER..

VERSUS

UHBVNL AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Naveen Daryal, 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 in the nature of mandamus directing the respondents to count daily wage service as qualifying service for the purpose of pensionary benefits for the period 01.11.1982 to 01.05.1993 along with all consequential benefits as well as interest @ 18% per annum from the date of accrual till the date of realization.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on 31.05.2018 on attaining the age of superannuation but till date the aforesaid benefits have not been released. He further submits that neither any departmental nor any judicial proceeding is pending against the petitioner, at the time of retirement or at present. Petitioner also served legal notice dated 27.05.2018 (P-4) upon the respondents but till date no decision has

been taken by the respondents.

3. Learned counsel for the petitioner submits that he feels satisfied in case a direction is issued to respondents to decide the legal notice (P-4), within some time bound manner.

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to consider the claim put forth by the petitioner in legal notice (P-4) and take a conscious decision, 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 relief claimed through legal notice and there is no impediment, to release the same within a period of next 45 days.

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

AUGUST 16, 2018
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(JASPAL SINGH)
JUDGE

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