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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.126

Civil Writ Petition No.21038 of 2018
DECIDED ON: *August 21, 2018*

PIARA SINGH

..PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION LIMITED AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ particularly in the nature of mandamus directing the respondents to grant pension and other pensionary benefits by counting work charge service w.e.f. 14.08.1980 to 14.12.1995, which becomes 15 years 04 months approx., along with regular service w.e.f. 15.12.1995 to 30.04.2018, which becomes around 22 years 04 months and 15 days approx. and total service become 37 yrs. 08 months approx. and further grant of interest @ 12% p.a.

2. Learned counsel for the petitioner contends that though a legal notice dated 12.07.2018 (P-5) was made to the respondents but till date no final decision has been taken thereon. He further contends that petitioner feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid legal notice (P-5), within some specified period.

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3. Taking into consideration the aforesaid aspects of the case, instant petition is disposed of with a direction to respondent No.2 – Senior Executive Engineer, Distribution Division, Punjab State Power Corporation Limited, Dasuya, District Hoshiarpur to consider the grievances unfolded by the petitioner in the legal notice dated 12.07.2018 (P-5) and 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 CWP No.8772 of 2015 captioned as ***Charan Dass vs. State of Punjab & Ors.*** decided on July 11, 2017 and Instructions No.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab, be also considered on delayed payment(s).

4. However, if petitioner still feels aggrieved by any order(s) of the afore-said authority, he shall be at liberty to have recourse to the other remedies available under law as well as to to approach this Court.

August 21, 2018 **(JASPAL SINGH)**
Ankur **JUDGE**

Whether speaking/reasoned **Yes**
Whether reportable **Yes/No**