

CWP No.4357 of 2015

DECIDED ON: AUGUST 21, 2018

KASHMIRA SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORP LTD AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. V.K. Shukla, Advocate
for the petitioner.

Mr. P.C. Goyal, Advocate
for the respondents.

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 revise his pension w.e.f 01.01.2006 in view of notification dated 17.08.2009 (P-1) and further to enhance his quantum of pension @ 5% of revised basic pension on attaining the age of 65 years w.e.f. 01.04.2008 and also to pay the consequent arrears of revised pension as well enhanced pension along-with interest @12% per annum.

2. At the very outset, learned counsel for the petitioner submits that he feels satisfied in case a direction is issued to respondents to consider the claim of the petitioner within some specified period and to release the benefits if the petitioner is found to be entitled, instant petition be disposed of.

3. Thus, without expressing any opinion on the merits of the case, this Court is of the considered view that it would be just and proper to dispose of the instant petitioner with a direction to respondents to look into the grievances unfolded by the petitioner in notice of demand dated 07.01.2015 (P-2) and to take a conscious decision by passing a speaking order in accordance with law, rules and regulations within a period of three months from the date of receipt of a certified copy of this order. In case, competent authority 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 and also instructions issued by the Govt. from time to time, be also considered on delayed payment(s).

4. 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 other remedies available under the law as well as to approach this Court.

AUGUST 21, 2018
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(JASPAL SINGH)
JUDGE

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