

CWP No. 24771 of 2018

DECIDED ON: SEPTEMBER 27, 2018

JARNAIL SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION LIMETED 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 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 as well as other pensionary benefits by counting his daily wage service w.e.f. 01.06.1985 to 30.06.1987, which becomes 2 years and 29 days approx. and work charge service w.e.f. 01.07.1987 to 08.02.2000, which becomes around 12 years 7 months and 8 days approx. (condoning the breaks if any) along-with the regular service w.e.f. 09.02.2000 to 31.12.2016, which becomes around 16 years 10 months and 23 days approx. and total service become 31 years 7 months approx., but he was granted pension only for 34 half years, whereas he is entitled for pension for 31 1/2 years (62 half years) and further grant of interest @ 12% p.a. on revised pension and other pensionary benefits for which he is entitled.

2. Learned counsel for the petitioner contends that though a legal notice dated 21.08.2018 (P-5) was served upon the respondents but till date neither any reply to the said legal notice has been received nor any final order has been passed by the respondents. He further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the afore-said legal notice dated 21.08.2018 (P-5) in a time bound manner.

3. In view of above, instant petition is disposed of with a direction to respondent No.2-Senior Executive Engineer, Distribution Division, Punjab State Power Corporation Limited, Dasuya, Distt. Hoshiarpur to look into the grievances unfolded by the petitioner in his legal notice dated 21.08.2018 (P-5) and to take a conscious decision by passing a speaking order in view of judgment delivered by Hon'ble Division Bench of this Court in the case of **"Kashmir Chand vs. Punjab State Electricity Board and others; 2005 (4) SCT 298,** which as per the version of learned counsel for the petitioner stands implemented, within a period of three months from the date of receipt of certified copy of this order.

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

SEPTEMBER 27, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No