

CWP No.3736 of 2017

DECIDED ON: AUGUST 21, 2018

SEWA SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION LTD & ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Mr. Dhruv Sihag, Advocate
for respondents No.1 to 3.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to grant of revised pension as well as pensionary benefits by counting work charge service w.e.f. 06.01.1983 to 13.03.1997, which becomes 14 years, 2 months & 8 days approx. (excluding breaks, if any) along with regular service w.e.f. 14.03.1997 to 31.03.2014, which becomes around 17 years and 17 days approx. and total service become 31 yrs. & 3 months approx, but he was granted pension only for 31 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. At the very outset, learned counsel for the petitioner submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the legal notice dated 15.12.2016 (P-4), which is stated to be pending with respondents, within some stipulated period,

3. In view of above, instant petition is disposed of with a direction to respondent No.2-Executive Engineer, Distribution Division, Punjab State Power Corporation Limited, Jalandhar City, to look into the grievances unfolded by the petitioner in his legal notice dated 15.12.2016 (P-4) 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 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,*** 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 other remedies available under the law as well as to approach this Court.

AUGUST 21, 2018
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(JASPAL SINGH)
JUDGE

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