

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-29855-2018

Date of decision: - 27.11.2018

Hans Raj

....Petitioner

Versus

Punjab State Power Corporation Ltd. and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J. (ORAL)

Present writ petition has been filed by the petitioner as the work charge service, which he had rendered from 12.12.1980 till 23.07.1993, has not been counted for the grant of pensionary benefits.

Counsel for the petitioner contends that as per the law laid down by this Court in **Kesar Chand Vs. State of Punjab and others**, AIR 1988 Punjab 265, the petitioner is entitled for counting of work charge service while computing the pension.

Petitioner retired from service on 31.10.2015. The present claim is being made after a period of three years of the retirement.

Counsel for the petitioner states that non-grant of pension for the period for which the petitioner is entitled for amounts to recurring loss

and therefore, his case is liable to be considered by the respondents even as of now.

Counsel for the petitioner further states that at this stage, the petitioner will be satisfied in case a time bound direction is given to the respondents to decide the legal notice, which the petitioner has issued through counsel on 21.09.2018 (Annexure P-6).

Without going into the merits of the case and expressing any opinion about the entitlement of the petitioner for the relief claimed for either in the writ petition or in the above-said legal notice, the respondents are directed to decide the legal notice dated 21.09.2018 (Annexure P-6), if not already decided, by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after passing the order, it is found that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of three months thereafter.

Present writ petition stands disposed of accordingly.

November 27, 2018
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No