

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.7817 of 2017

DECIDED ON: AUGUST 28, 2018

NAND LAL

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION LIMITED & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Mr. Surinder Pal Singh Tinna, Advocate for the respondents.

JASPAL SINGH, J (ORAL)

Through the instant civil writ petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to grant revised pension as well as pensionary benefits by counting work charge service w.e.f. 17.10.1979 to 31.08.1991, which becomes 11 years 9 months & 15 days approx. along with regular service w.e.f. 01.09.1991 to 30.04.2014, which becomes around 22 years and 08 months approx. and total service become 34 years 6 months approx., but petitioner granted pension only for 45 half years, whereas he is entitled for pension for 34 years (68 half years) and further grant of interest @ 12% p.a. on revised pension and other pensionary benefits for which petitioner is entitled.

2. Learned counsel for the petitioner contends that though a legal notice dated 08.03.2016 (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 his legal notice dated 08.03.2016 (P-5) in a time bound manner.

3. In view of above, instant petition is disposed of with a direction to respondent No.2-Sr.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 08.03.2016 (P-5) 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).

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority concerned, he shall be at liberty to approach this Court.

AUGUST 28, 2018
sham

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No