

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

Sr. No.114

Civil Writ Petition No. 5172 of 2018
DECIDED ON: March 21, 2018

SATYAWAN DHUPPER

..PETITIONER

VERSUS

**HARYANA VIDYUT PRASARAN NIGAM LIMITED (HVPNL) AND
OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Parashar, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to grant the benefit of additional provision of quantum of pension available to the old pensioners/family pensioners in the light of the Notification dated 17.08.2009 (P-7) and in view of letter dated 18.08.2017 (P-21).

2. During the course of arguments, it has emerged that when the aforesaid benefit was not granted to the petitioner, as per Notification dated 17.08.2009 (P-7), petitioner moved a representation dated 19.01.2017 (P-17) and subsequently, he was constrained to serve a legal notice dated 11.07.2017 (P-20). The matter was considered by the Accounts Officer, Pension, HVPNL, Panchkula and the same was forwarded to the Under

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Secretary/HR-II, HVPNL, Panchkula vide letter dated 18.08.2017 (P-21). Subsequent thereto, no further response has been received. It appears that the respondents have not taken any conscious decision despite the fact that a period of more than 08 months is going to be elapsed. Moreover, learned counsel for the petitioner feels satisfied in case a direction is issued to the respondent No.1 to take a final decision on the legal notice dated 11.07.2017 (P-20) within some specified period.

3. Without expressing any opinion on the merits of the case but considering the request of learned counsel for the petitioner, instant petition is disposed of with a direction to respondent No.1 to consider the various aspects unfolded by the petitioner in his legal notice dated 11.07.2017 (P-20) and take a conscious decision, within a period of three months from the date of receipt of a certified copy of this order. In the event, concerned authorities comes to the conclusion that petitioner is not entitled to aforesaid relief(s) claimed, then pass a speaking order touching each and every aspects contained in the aforesaid legal notice (P-20). In such a situation, petitioner shall be at liberty to approach this Court.

March 21, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**