

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.8912 OF 2017
DECIDED ON: SEPTEMBER 07, 2018

HARDEEP SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORP. LTD.
AND ANR.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Ms. Kulvir Kaur, Advocate for
Mr. SPS Tinna, Advocate,
for respondent No.2.

JASPAL SINGH, J.

Through 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 and other pensionary benefits by counting work charge service w.e.f. 01.07.1980 to 11.12.1995, which becomes 15 years, 5 months & 19 days (condoning/excluding the breaks, if any) along with regular service w.e.f. 12.12.1995 to 31.05.2013, which becomes around 17 years, 05 months & 18 days approx. and total service become 32 years 11 months & 7 days, but petitioner granted pension only for 35 half years, whereas he is entitled for pension for 33 years (66 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 12.03.2017 (P-4) 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 petitioner feels satisfied in case a direction is issued to respondents to decide aforesaid legal notice, in a time bound manner.

3. Learned counsel appearing on behalf of respondent No.2 submits that she has no objection in case the matter is sent for consideration to the respondent(s).

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.2-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 12.03.2017 (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 authorities 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 approach this Court.

SEPTEMBER 07, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>