

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

(107)

CWP-2539-2019

Date of Decision: January 30, 2019

Hoshiar Singh

..Petitioner

Versus

Punjab State Power Corporation Limited 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)

Learned counsel for the petitioner states that the petitioner had worked on work charge basis w.e.f. 06.03.1982 till 23.09.1997 before he was regularly appointed. The petitioner retired from service on 28.02.2010. The prayer is for counting of work charge service as a qualifying service for the grant of pensionary benefits. Nothing has been stated as to why, the petition has been filed after a period of 9 years of retirement.

Learned counsel for the petitioner states that the grant of less pension than the entitlement is recurring loss and therefore, the delay needs to be ignored.

Learned counsel for the petitioner further states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 12.12.2018 (Annexure P-5) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 12.12.2018 (Annexure P-5) by passing a speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 12.12.2018 (Annexure P-5), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated legal notice dated 12.12.2018 (Annexure P-5) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled to any monetary benefits after the decision of the legal notice, the same should also be paid to him within three months thereafter but the arrears will be restricted three years two months prior to the filing of the present writ petition.

(HARSIMRAN SINGH SETHI)
JUDGE

January 30, 2019
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No