

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

(126)

CWP-5447-2019

Date of Decision: February 28, 2019

Kulwant Singh

.. Petitioner

Versus

Punjab State Power Corporation Limited and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep K. Sharma, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner states that the services of the petitioner were terminated on account of the conviction in FIR No.121 dated 04.11.2004. The said termination order was challenged by the petitioner filing CWP No.14166 of 2016, which was decided by this Court on 21.04.2017. This Court set aside the order dated 26.10.2012 by which the services of the petitioner were terminated but granted the opportunity to the respondent-department to pass afresh order.

Learned counsel for the petitioner states that in the fresh order which was passed by the respondents on 16.08.2017, the termination order has been cancelled with immediate effect.

Learned counsel for the petitioner states that no order has been passed by the respondents with regard to the period when the petitioner remained out of service i.e. 08.09.2012 till 30.09.2016 though the said period has been taken into account as a qualifying service for the grant of pensionary benefits.

Learned counsel for the petitioner further states that for the relief which has been claimed in the present writ petition, the petitioner has served upon the respondents with a legal notice dated 22.10.2018 (Annexure P-7) 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 22.10.2018 (Annexure P-7) by passing an appropriate 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 22.10.2018 (Annexure P-7), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 22.10.2018 (Annexure P-7) 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 for any monetary benefits after the decision of the legal notice, the same should also be paid to him within three months thereafter.

February 28, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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