

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

(120)

CWP-21229-2019

Date of Decision: September 18, 2019

Gurdev Singh

.. Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Ltd and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajinder Singh Rana, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner argues that the petitioner has already been granted the benefit of 2nd ACP by the competent Court of law w.e.f. 01.01.2006, which judgment has already been upheld by the Hon'ble Supreme Court of India and petitioner became entitled for the grant of 3rd ACP w.e.f. 01.01.2016 after completing a period of 10 years. Said benefit has not been extended to the petitioner by the respondents without any valid justification though the petitioner was in service on said date and later retired on 30.09.2016. Learned counsel for the petitioner prays that direction be given to the respondents to release benefits of 3rd ACP to the petitioner forthwith.

Learned counsel for the petitioner 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 23.04.2019 (Annexure P-6) which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice 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 23.04.2019 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 23.04.2019 (Annexure P-6), 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.

September 18, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable: No