

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

(242)

CWP-9393-2018

Date of Decision: February 08, 2019

Baldev Singh Kalsi

..Petitioner

Versus

PSPCL and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Pankaj Sharma, Advocate, for the petitioner.

Mr. Vikas Chatrath, Advocate, for the respondents.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the challenge is to the order dated 29.09.2016 (Annexure P-5) by which 10% cut has been imposed upon the pension of the petitioner for a period of five years.

As per the averments made in the writ petition, the petitioner retired from service on 31.05.2012. After the retirement, the petitioner was served with a charge-sheet on 06.06.2012. After holding an enquiry into the charge-sheet, the respondents imposed the punishment of cut of 10% in the pension for a period of five years upon the petitioner vide order dated 29.09.2016.

In paragraph 12 of the writ petition, the petitioner has stated that he has filed an appeal against the said order on 17.01.2017 and the said appeal was not decided by the respondents till the filing of the present writ petition.

Upon notice of motion, the respondents have appeared.

Though no written statement has been filed so far, but counsel appearing on behalf of the respondents states that appeal filed by the petitioner is pending consideration with the appellate authority.

Learned counsel for the petitioner states that though the appeal was filed two years ago, no justification has been given by the respondents as to why the respondents are taking so long to decide the said appeal as the petitioner is being prejudiced due to the cut in his pension. Counsel for the petitioner further states that the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said appeal.

Learned counsel for the respondents has no objection with regard to the prayer made by counsel for the petitioner for deciding the appeal.

In view of the prayer made by counsel for the petitioner, the present writ petition is disposed of with a direction to the respondents to decide the appeal dated 17.01.2017 (Annexure P-6) within a period of two months from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the said decision, the same should also be released to him within a period of next three months thereafter.

February 08, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable: No