

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

**CWP No. 27947 of 2019
Date of decision : 27.09.2019**

Balwant Singh

....Petitioner

Versus

Punjab State Power Corporation Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Dhiraj Chawla, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner states that an FIR No. 5 dated 19.02.2007 was registered against the petitioner, in pursuance to which, the petitioner was convicted by the competent Court of Law. After the conviction, petitioner was dismissed from service on 26.08.2014 on the basis of conviction. Learned counsel for the petitioner argues that the order convicting the petitioner was challenged by him by filing CRA-S-2270-SB-2014 and the said petition was allowed by this Court on 19.2.2017 and the petitioner was acquitted and after the acquittal, petitioner was reinstated in service by the respondents. After the reinstatement, the petitioner served the respondents and ultimately, he retired from service on attaining the age of superannuation on 31.03.2019.

Learned counsel for the petitioner argues that the service book of the petitioner has not been completed by the respondents and once the absence period of the petitioner, when he remained out of service after the dismissal, has already been regularized by treating it as a duty period, therefore, claim of the petitioner for the release of benefits of the ACP as well as revised pay scale and also of

liable to be accepted but respondents are not deciding the claim of the petitioner and the same is still pending consideration with the respondents.

Learned counsel for the petitioner further argues that the regular pension is yet to be released to the petitioner as the same has been withheld because of non-grant of the benefit of ACP, the fixation of the pay in the revised pay scale and consideration of the case for promotion with effect from the date, the persons junior to him were promoted. Learned counsel prays that a direction be issued to take appropriate decision with regard to the prayers of the petitioner, which have been recorded above for the grant of benefit of ACP, revised pay scale, promotion with effect from the date, persons junior to the petitioner were promoted in a time bound manner.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served respondents with a legal notice on 10.07.2019 (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.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 10.07.2019 (Annexure P-6) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Writ petition stands disposed of accordingly.

September 27, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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