

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.32919 of 2019

DATE OF DECISION:15.11.2019

Rajinder Singh

... Petitioner

Versus

Pepsu Road Transport Corporation and another ... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunny Singla, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The claim in the present writ petition is that the petitioner was entitled for the grant of ACP on completion of 24 years of service, which the petitioner completed in December, 2001.

The petitioner has already retired from service in May, 2008 and the present writ petition has been filed after more than 11 years of his retirement. Further, no justification has been given as to why the petitioner did not raise the claim with regard to the non-releasing of the ACP after rendering 24 years of service in the year 2001, while in service.

Counsel for the petitioner states that the petitioner will not claim any arrears upto the date of the filing of the legal notice i.e. 15.01.2019, in case the respondents consider the case of the petitioner for the grant of the said benefits.

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 15.01.2019 (Annexure P-2) 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 15.01.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 15.01.2019 (Annexure P-2), within a period of three months from the receipt of certified copy of this order.

In case, the petitioner is found entitled for the relief, the arrears will be restricted only from the date of the serving of legal notice i.e. 15.01.2019.

November 15, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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