

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-2025 of 2020

Date of decision: 27.01.2020

Swaran Singh

.... Petitioner

versus

Punjab State Power Corporation Ltd and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashish Grover, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the petitioner argues that the petitioner was initially appointed on work charge basis on 17.07.1965 and he continued working as such till 09.02.1977, when his services were regularised by the respondents. Learned counsel for the petitioner argues that on attaining the age of superannuation, the petitioner retired from service on 29.02.2003. The grievance of the petitioner is that work charge service, rendered by him from 17.07.1965 till 09.02.1977 has not been taken into account as qualifying service for computing his pensionary benefits. Prayer of the petitioner is that a direction be issued to the respondents to grant him the benefit of work charge service rendered by him from 17.07.1965 till 09.02.1977 as qualifying service and for re-computing his pensionary benefits and release the same to him alongwith arrears.

Learned counsel for the petitioner very fairly concedes that the petitioner had retired from service in the year 2003, whereas the present writ

petition has been filed approximately after 17 years of his retirement. No justifiable ground has been projected by the petitioner, as to why, he has waited for approximately 17 years before approaching this Court.

Faced with this situation, learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition, the petitioner has served the respondents with legal notice dated 11.11.2019 (Annexure P/1) and the same 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 respondent No.2 to decide the same.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondent No.2 is directed to decide legal notice dated 11.11.2019 (Annexure P/1) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. As the delay in approaching this Court is of 17 years, in case the petitioner is found entitled for relief, the arrears will be restricted upto three years and two months before filing of the present writ petition, which has been filed in January, 2020.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

27.01.2020
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |