

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

**CWP-8517-2020 (O&M)
Date of Decision:23.06.2020**

Harbhajan Singh

... Petitioner

Versus

Punjab State Power Corporation Limited & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rimple Saini, Advocate for the petitioner.

Mr. Pawan Kumar, Advocate for the respondent/Corporation.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner who was serving on the post of Assistant Lineman under the Punjab State Power Corporation Limited retired in the year 2009.

Prayer in the instant petition is for issuance of a mandamus for directing the respondent/Corporation to count the work charge service period rendered by the petitioner from 01.07.1979 to 30.03.1994 along with the regular service for purpose of grant of pensionary benefit.

It is the contention raised by the counsel that the claim raised by the petitioner would be covered in terms of the judgment dated 16.05.2016 rendered by a Coordinate Bench in **CWP-9515-2016** titled as **Kuljit Singh Vs. Punjab State Power Corporation Limited & others** at Annexure P-4.

Counsel submits that he would be satisfied if the writ petition were to be disposed of with a direction to the concerned authority to take a

final decision on the representation dated 18.02.2020 (Annexure P-1).

This Court has confronted counsel for the petitioner as regards the aspect of delay. After all petitioner had superannuated in the year 2009 and he has now approached the writ Court after more than a decade. Counsel has responded by submitting that in the eventuality of his claim being admitted by the Corporation, the financial benefits accruing may be confined to a period of 38 months prior to the date of filing of the instant writ petition.

Statement of counsel is recorded to such effect.

Without making any observations on merits of the claim, writ petition is disposed of with a direction to respondent No.1/competent authority to examine the representation dated 18.02.2020 (Annexure P-1) and to take a decision thereupon expeditiously and in any case within a period of 3 months from the date of receipt of a certified copy of this order.

Suffice it to observe that in the eventuality of the claim of the petitioner being accepted, it would be open for the Corporation to confine financial benefits to a period of 38 months prior to filing of the instant writ petition.

Disposed of.

23.06.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |