

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

CWP No.18279 of 2020

Date of Decision: 02.11.2020

Kuldeep Singh

.....Petitioner

Versus

PSPCL & Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Rajat Garg, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

A writ of Mandamus is sought directing the respondents to file detailed reply to the legal notice dated 16.07.2020 (P.1) qua grant of pension and other retiral benefits.

It is stated that the petitioner was appointed as Work Charge T-Mate in June 1973. He worked for 304 days in various Divisions of PSPCL. Thereafter his services were regularized and he was appointed as ALM in November 1976. It is stated that his services were terminated w.e.f 10.09.1996 vide office Order dated 05.12.2004 as he had not resumed his duty after availing earned leave from 10.09.1996 to 04.10.1996. The petitioner is stated to have applied for pre-mature voluntary retirement in the year 1997 i.e much before his termination as he had completed requisite 20 years of service, though no decision was taken thereon instead his services were terminated.

Learned counsel for the petitioner contends that the petitioner is entitled to pension and other retiral benefits. It is contended that the petitioner was on earned leave and his services were wrongly terminated and that in the year 1997, he had sought for voluntary retirement on completion of 20 years of service.

It is apparent from the case file that the petitioner remained absent for the period from 10.09.1996 till the termination order was communicated to him. Services of the petitioner were terminated in 2004. The claim of the petitioner is highly belated. There is no justification or explanation as to what prevented the petitioner to challenge his alleged termination which admittedly took place long sixteen years back. Though, the petitioner had submitted a representation for pre-mature voluntarily retirement but he did not pursue the same. Merely writing legal notice at such a belated stage cannot be considered to be a good ground for condoning inordinate delay especially when he has never raised his grievance before the authorities during all this while after his termination.

In the light of foregoing discussion, the petition is held to be bereft of merit and is ordered to be dismissed.

November 02, 2020
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No