

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

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CWP No.13483 of 2021

Decided on : 26.07.2021

Kultar Singh

... Petitioner

Versus

Pepsu Road Transport Corporation, Patiala

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Vikas Chatrath, Advocate for the petitioner.

(The proceedings are being conducted through video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India seeks directions to the respondents to release the overtime allowance amounting to Rs.1,83,273/- alongwith interest @ 18% per annum.

The claim is made on the basis of judgment dated 04.09.2017 passed in **CWP No.3704 of 2018 'Pepsu Road Transport Corporation and another Vs. Appellate Authority Under the Payments of Wages Act, 1936-cum-Additional District Judge, Sangrur and others'** and other connected cases (Annexure P-2).

Counsel submits that communication dated 10.08.2020 (Annexure P-3) has been addressed to the respondent that the said amount stands paid vide bill no.290 dated 01.01.2010. Counsel further submits that legal notice dated 27.12.2019 had already served upon the respondent and thereafter on 17.01.2020 (Annexure P-4) second notice was served. Counsel submits that he would be satisfied if the said legal notice is decided within a fixed time frame, which he stressed that it was served in the year 2021 not in the year 2020.

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Keeping in view the limited controversy as such and since the decision making is still incomplete, no useful purpose will be served to call upon the respondent for filing reply, as it would cause inordinate delay in deciding the proceedings.

Accordingly, the present petition is disposed of with the directions to respondent to decide the said claim of the petitioner within a period of 3 months from the receipt of the certified copy of this order. Since the petitioner claims that the said amount has not been deposited in his account, it would be appropriate the petitioner is given an opportunity of personal hearing also to demonstrate that the amount is not credited in his account.

Disposed of.

July 26, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No