

CWP-21995-2021

Date of decision: 29.10.2021

Harbans Singh

.....Petitioner

versus

Pepsu Road Transport Corporation
and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Sunny Singla, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *mandamus* for issuance of directions to the respondents to count qualifying service for grant of revised pensionary benefits w.e.f. Date of his joining the Corporation instead of date of contribution provident fund and extending benefit of the law which has been implemented vide affidavit dated 04.02.2013 (Annexure P-5) as such sub regulation 6 mentioned in Chapter III of PEPSU Road Transport Corporation Employees Pension/Gratuity and General Provident Fund Regulations, 1992 vide which it has

been provided that qualifying service for grant of pensionary benefits would be counted from date of contribution to provident fund rather than date of joining Corporation would be deemed to have been read down in favour of the petitioner along with interest on delayed payments @ 18% per annum.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the legal notice dated 12.07.2020 (Annexure P-6) as representation moved by the petitioner and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

If found entitled and if there is no impediment for the release of payment, the same be granted to the petitioner without any delay, as per law.

The petition stands disposed off accordingly.

29.10.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No