

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

CWP-118-2021(O&M)

Date of decision:08.04.2021

Shanti Devi

.....Petitioner

Versus

Punjab State Power Corporation Limited and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.M.K.Sood, Advocate for the petitioner

Mr. Rishabh Gupta, Advocate for the respondents

ANIL KSHETARPAL, J. (ORAL)

On 06.01.2021, the following order was passed by this

Court:-

“The petitioner prays for issuance of a writ in the nature of certiorari, quashing the communication dated 28.10.2020. The grievance of the petitioner is that she retired from the post of Sewadar on 31.01.2020. However, her retiral benefits have not been released. It is further contended that the petitioner and her son have two separate electric connections. On account of non-payment of electricity bills by her son, the same is sought to be recovered from the petitioner.

Learned counsel for the petitioner contends that on this pretext, the entire retiral benefits cannot be withheld.

Mr.Rishabh Gupta, Advocate has entered appearance on behalf of the respondents and states that as per his instructions, only a sum of Rs.50,000/-

approximately has been withheld and remaining has either already released to the petitioner or is being released.

Keeping in view the aforesaid facts, list the writ petition for final disposal on 20.01.2021.

In the meantime, if the undisputed amount has not already been released, the same be released before the next date of hearing failing which the Managing Director of Punjab State Power Corporation Limited, shall be required to attend the hearing of the case through video conferencing.”

Sh. Rishab Gupta, Advocate, states that approximately an amount of Rs.21,16,000/- has been released to the petitioner towards pensionary benefits. It has further been stated that an amount of Rs.39,030/- is due against the petitioner on account of electricity dues whereas Rs.54,415/- is outstanding against the son of the petitioner.

Learned counsel for the petitioner contends that the amount outstanding against the son of the petitioner cannot be recovered from the petitioner.

Be that as it may. Without opining upon the merits of the case, since a substantive amount has been released to the petitioner, therefore, the petitioner is relegated to the alternative remedy.

Disposed of.

08.04.2021

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes /No

Yes / No