

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(128)

CWP-10701-2022

Date of Decision : May 19, 2022

Som Parkash

.. Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam Limited and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunil Kumar Nehra 'Sirsa', Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that in the present case, the petitioner was compelled to deposit a sum of Rs.2,65,354/- on the date of his retirement so as to get his retiral benefits. Learned counsel for the petitioner submits that in the present case, the recovery was being done from the petitioner on account of shortage of oil and missing part of the transformers which recovery has already been waived off by the respondents vide instructions Annexure P-2 dated 22.04.2019 and therefore, the petitioner should also have been extended the benefit of the said instructions but the same was not extended, hence, the respondents are liable to be directed to wave off the shortages and refund the amount of Rs.2,65,354/- to the petitioner which was deducted from his pensionary benefits.

Learned counsel for the petitioner further submits that the

petitioner has already raised the said grievance before the respondents by serving upon them a legal notice dated 11.04.2022 (Annexure P-5), which is still pending consideration with the respondents and the petitioner will be satisfied at this stage, in case a time bound direction is issued to respondent No.1 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

On asking of the Court, Mr. Raman Kumar Sharma, learned Additional Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents raises no objection in deciding the legal notice dated 11.04.2022 (Annexure P-5) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 11.04.2022 (Annexure P-5), the present writ petition is disposed of with a direction to respondent No.1 to decide the legal notice dated 11.04.2022 (Annexure P-5) within a period of three months from the receipt of copy of this order.

May 19, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No