

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

CWP-19073-2021

Date of Decision: 12.05.2022

Subhash Chander Sharma

..... Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam 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 though during the service career of the petitioner, he was asked by the respondent-Department to deposit a certain amount, on account of the shortage of oil and missing parts of the transformers from the respondent-Department, but the similar recovery is being waived off in case of the other similarly situated employees, and therefore, the petitioner is also entitled for refund of the amount of Rs.5,42,590/- by the respondent-Department, which amount has been deducted from the pensionary benefits of the petitioner by the Department.

Learned counsel for the petitioner submits that the same grievance has also been raised by the petitioner before respondents No.1 and 2 by serving legal notice dated 21.04.2020 (Annexure P-5), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.1 to decide the said legal notice dated 21.04.2020, by

passing an appropriate speaking order.

Notice of motion.

On the asking of the Court, Mr. Raman Kumar Sharma, Advocate, accepts notice on behalf of the respondents-DHBVN and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 21.04.2020 (Annexure P-5) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 21.04.2020 (Annexure P-5), this petition is disposed of with a direction to the respondent No.1 to pass an appropriate speaking order on the legal notice dated 21.04.2020 (Annexure P-5), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order.

12.05.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

1. Whether speaking/reasoned : Yes
2. Whether reportable : No