

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109)

CWP-19102-2021

Date of Decision : May 11, 2022

Kheta Ram

.. 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 in the present case at the time when the petitioner retired from service in the year 2009, a sum of Rs.43,538/- was deducted from the retiral benefits of the petitioner due to certain shortages, which were attributed to the petitioner. Learned counsel for the petitioner submits that the said shortages were attributed to the petitioner without holding any enquiry against him and after the deduction was done from the petitioner, the respondents themselves have been waiving of the said shortages in case of the other similarly situated employees against whom also, no enquiry was conducted. Learned counsel for the petitioner further submits that as the shortages have already been waived in the case of other similarly situated employees, which were noticed after the retirement, the petitioner is also entitled for the refund of Rs.43,538/-.

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 21.04.2020 (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 21.04.2020 (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 21.04.2020 (Annexure P-5), the present writ petition is disposed of with a direction to respondent No.1 to decide the legal notice dated 21.04.2020 (Annexure P-5) within a period of eight weeks from the receipt of copy of this order.

May 11, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No