

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

119

CWP-24840-2022

Date of Decision :29.10.2022

Gian Chand

...Petitioner

Versus

**Dakshin Haryana Bijli Vitran Nigam (DHBVN)
and others**

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajesh Sethi, Advocate & Mr. Arun Biriwal, Advocate
for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the petitioner retired on attaining the age of superannuation on 30.06.2000 and while the petitioner was in service, he was being granted cash medical reimbursement, whereas, the same is not extended to the petitioner after his retirement.

Learned counsel for the petitioner further argues that the claim of the petitioner for the grant of cash medical reimbursement was declined by the respondents initially vide order dated 22.11.2019 (Annexure P/6) on the ground that the petitioner was not a pensioner and was a member of EPF scheme and according to the instructions, only the employee/pensioner/family pensioner and their dependents are entitled for the said benefit hence, claim of the petitioner is not maintainable. Learned counsel for the petitioner submits that without giving the details of the instructions being relied upon by the respondents to reject the claim of the petitioner, the

claim of the petitioner was rejected, after which, the petitioner has served a legal notice dated 13.06.2020 (Annexure P/11) upon the respondents requesting them to cite the said instructions, which have been made basis for declining the claim of the petitioner, which legal notice 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 same by passing an appropriate speaking order.

Notice of motion.

Mr. Vivek Saini, Addl. A.G. 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 of the petitioner 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 13.06.2020 (Annexure P/11), the present writ petition is disposed off with a direction to respondent No.1 to decide the legal notice dated 13.06.2020 (Annexure P/11) within a period of 08 weeks from the date of receipt of copy of this order and in case after the decision, the petitioner is found entitled for any relief, the same will be extended to him within a four weeks thereafter.

October 29, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No