

119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16092-2023

Date of decision: 28.07.2023

Chander Mohan Talwar

.....Petitioner

V/s

Punjab State Power Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Jasmeet Singh, Advocate for
Mr. J.S. Jaidka, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to grant of dearness allowance to the petitioner, who is a retiree of the respondent corporation (PSPCL) with Government of Punjab along with interest.

Learned counsel for the petitioner contends that petitioner is a retired employee of the respondent Corporation with the State of Punjab and retired from the office of respondent No.5 i.e., XEN, Grid Maintenance, P&M Division, the Punjab State Power Corporation Limited, Ludhiana. He submits that Government of Punjab on accepting the recommendations of the Pay Commission had decided to grant dearness allowance by enhancing it from 113% to 119% w.e.f. 01.07.2015 vide letter No.7/44/2015-IFPI/56 dated 25.01.2016 payable from 01.01.2016. He further submits that the Government of Punjab again announced the grant of dearness allowance from 119% to 125% w.e.f. 01.01.2016 vide letter

01.07.2016 vide letter No.7/44/2015-IFPI/551 dated 21.12.2016. Learned counsel further submits that in partial modification the Govt. of Punjab had taken a decision to release 4% out of 7% of dearness allowance from 01.01.2017 and the remaining 3% to be paid from 01.07.2017. He further contends that the Govt. of Punjab had issued a letter for further enhancement of 3% dearness allowance to 142% vide letter dated 21.10.2019. Learned counsel further submits that petitioner has submitted a representation dated 30.11.2022 (Annexure P-5) to the respondents, which has not been taken into consideration till date and he would be satisfied if necessary directions are given for deciding the said representation in a time bound manner.

Notice of motion.

Mr. J.S. Bhatti, Advocate has put in appearance on behalf of respondents, accepts notice on behalf of respondents-PSPCL and does not object to the prayer made by learned counsel for the petitioner.

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 representation dated 30.11.2022 (Annexure P-5), the present writ petition is disposed of with a direction to the respondents to decide the aforesaid representation within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the representation, the same should also be paid to him within three months thereafter.

(DEEPAK MANCHANDA)
JUDGE

28.07.2023
Sapna