

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

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CWP-11545-2023 (O&M).
Date of Decision: 26.05.2023.

IQBAL SINGH

... Petitioner

Versus

**CHIEF MANAGING DIRECTOR, PUNJAB STATE POWER
CORPORATION LIMITD PATIALA AND OTHERS**

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Aman Raj Bawa, Advocate, for
Mr. R.S. Bains, Sr. Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been preferred under Articles 226/227 of the Constitution of India, 1950, seeking issuance of a writ in the nature of Mandamus directing the respondents to release all post-retirement benefits to the petitioner i.e. Gratuity, Leave Encashment, Dearness Allowances and pension.

Learned counsel for the petitioner contends that the petitioner joined the respondent Department on 02.07.2002 as Assistant Lineman and submitted his application for voluntary retirement on 01.07.2022 and accordingly the petitioner has been retired from service w.e.f. 30.09.2022,

however, till date retirement benefits have not been granted to the petitioner. Accordingly, petitioner sent an application dated 20.02.2023 to the respondents requesting to grant him retiral benefits but no action has been taken on the same. It is further contended that thereafter, the petitioner sent a legal notice dated 28.04.2023 (Annexure P-3) in this regard but the respondents have failed to pay any heed to the requests of the petitioner, hence the present petition has been filed.

Learned counsel for the petitioner submits that at this juncture, the petitioner would be satisfied in case a direction is issued to the respondents to look into the legal notice and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

Mr. Surinder Singh Kaliramna, Advocate, enters appearance and accepts notice on behalf of the respondents and he has no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, taking into consideration that an alternative prayer has been made to the extent that the legal notice be decided by the respondents in a time bound manner, the present writ petition is disposed of with a direction to the respondent No.1 to look into the grievance espoused by the petitioner in the legal notice dated 28.04.2023 (Annexure P-3) sent by the petitioner and to pass a speaking and reasoned order thereupon in accordance with law within a period of three months from the date of receipt of certified copy of this order after granting an opportunity of hearing to the petitioner.

Needless to mention that in the event the entitlement of the petitioner being established as per law, retiral benefits/the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

May 26, 2023
raj arora

(VINOD S. BHARDWAJ
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No