

CWP- 14873-2023 (O&M)

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

CWP- 14873-2023 (O&M)
Date of Decision: 17.07.2023

Baljinder Singh

... Petitioner

V/s.

Punjab State Power Corporation Limited and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. HPS Ghuman, Advocate
for the petitioner.

DEEPAK MANCHANDA, J.(Oral)

Present writ petition has been filed under Article 226/227 of the Constitution of India by the petitioner seeking issuance of writ in the nature of mandamus for directing the respondents for deciding the representation dated 17.06.2023 (annexure P-1) by passing a speaking order for refund of an amount of Rs. 49,297/-+ Rs.22,821/- with 12% interest per annum from the date of recovery till the date of payment and for re-fixation of salary/pension and for paying interest @ 12% per annum on the arrears of the same.

Learned counsel for the petitioner submits that the petitioner

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was appointed as Trainee Line Man by the respondent department on 23.06.1986 by Executive Engineer, Division Circle, Kotkapura and was promoted as Junior Engineer and then was further promoted to the post of A.A. E. on 17.10.2018 and the petitioner retired as A.A. E. on 31.05.2019. The salary of the petitioner was refixed by the department in the year 2015 and annual/promotional increments were granted to the petitioner from 13.08.2001 onwards but the said increments amounting to Rs. 49297/-+ Rs. 22821/- have been withdrawn from the arrears of the petitioner at the time of retirement without issuing any show-cause notice to the petitioner. Learned counsel for the petitioner further submits that the petitioner have already raised the said grievance in the legal notice dated 17.06.2023 (Annexure P-1), which is still pending consideration with respondents and the petitioner will be satisfied at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

At this stage, on the asking of the Court, Mr. Nikhil Kumar Vashisht, Advocate has put in appearance on behalf of respondents by filing his memorandum of appearance and raises no objection in deciding the legal notice dated 17.06.2023 in a time bound manner by passing an appropriate speaking order.

I have heard learned counsel for the parties and have gone through the record of the case.

In view of the pleadings in the present petition, without

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expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondents are directed to decide the legal notice dated 17.06.2023 (Annexure P-1), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

17.07.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No