

119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17793-2023
Date of decision: 17.08.2023

Nand Lal and othersPetitioners
V/s
Pepsu Road Transport Corporation ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Vikas Chatrath, Advocate
for the petitioners.

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 respondent to count qualifying service for grant of revised pensionary benefits w.e.f. the date of joining the Corporation instead of the date of contribution to the provident fund along with interest on delayed payments @ 18% per annum.

Learned counsel for the petitioners contends that the petitioners are claiming benefit of revised pension and pensionary benefits by taking into account the qualifying service w.e.f. date of joining instead of their date of contribution towards CPF. Learned counsel for the petitioners has placed reliance upon judgment titled *Sathir Singh and others Vs. State of Haryana and others, 2002 (2) SCT 354 DB*, wherein it was held that similarly situated employees/petitioners should be treated at par with the employees, who have been granted similar relief. Learned counsel also submits that petitioners No.1 to 5 have already served legal notice to the respondent but the same has not been decided till date. Learned counsel undertakes to file fresh representation/legal

notice on behalf of the petitioners No. 6 and 7 and also submits that petitioners

would be satisfied if necessary directions are given for deciding the legal notice dated 03.06.2023 (Annexure P-3) in a time bound manner.

Notice of motion.

Mr. Rakesh Roy, Advocate for Mr. Abhilaksh Gaind, Advocate has put in appearance on behalf of respondent, accepts notice on his behalf and does not object to the prayer made by learned counsel for the petitioners.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioners in the legal notice dated 03.06.2023 (Annexure P-3), respondent is directed to decide the legal notice, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioners are found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to them within a period of 8 weeks thereafter.

The petition stands disposed of.

17.08.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

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