

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

112

CWP-23586-2023

Date of decision: 09.11.2023

RAM LOK

.....Petitioner

VERSUS

PUNJAB STATE POWER COPRN. LTD. AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. H.K. Brinda, 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 quash the reduction of pay of the petitioner (from Rs.15,290/- as on 01.03.2021 to Rs.13,470/- as was on 01.03.2013) after retirement of the petitioner in the name of re-fixation of pay of the petitioner vide Annexure P-10 and commanding the respondents to fix the pay of the petitioner after grant of annual grade increments and other financial benefits as were granted to the other co-employees after attaining the age of 55 years vide Annexure P-5 and to pay the post retirement benefits along with arrear and recovery amount on account of re-fixation with interest @ 12 % per annum from due date till its payment.

Learned counsel for the petitioner contends that the petitioner was appointed on compassionate ground as RTM vide order dated 01.03.1995 in the office of Executive Engineer D/S Division Mohali, thereafter, he was selected as Junior Meter Reader vide order dated 27.03.2003 in the office of Superintendent

Engineer Distribution Circle, Nawan Shahar-respondent No.3 and has joined on

04.04.2003 and he retired from service on 31.10.2022. Learned counsel submits that after retirement of the petitioner, respondent No.3 re-fixed the pay of the petitioner w.e.f. 29.06.2012 (reduced in 2012 from Rs.15,290/- to Rs.13,470/-). Learned counsel further submits that petitioner has also served a legal notice dated 04.09.2023 (Annexure P-11) to the respondents, which has not been taken into consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

On asking of the Court, Mr. R.P.S. Brar, Advocate, who is present in the Court, accepts notice on behalf of the respondents and submits that the respondent No.2 is the competent authority to take final decision. He does not object to the prayer made by learned counsel for the petitioner.

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 petitioner in the legal notice 04.09.2023 (Annexure P-11), respondent No.2 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 by giving an opportunity of personal hearing to the petitioner in accordance with law.

The petition stands disposed of.

November 09, 2023
Nisha-II

(DEEPAK MANCHANDA)
JUDGE

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