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**2023:PHHC:154011**

**CWP-25584-2023**  
**Date of decision: 04.12.2023**

.....Petitioner

**Pepsu Road Transport Corporation, Nabha Road, District Patiala and another**

## .....Respondents

Present: Mr. Vikas Chatrath, Advocate and  
Mr. Dharamvir Singh, Advocate for  
for the petitioner.

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The instant writ 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 release interest on account of delayed payment of pension and pensionary benefits etc., in view of the settled law in ***CWP-15306-2016*** titled ***Hari Ram and others Vs. Pepsu Road Transport Corporation, Nabha Road, Patiala*** decided on 04.09.2017 (Annexure P-2) which stands implemented.

Learned counsel for the petitioner contends that the petitioner's husband had joined respondent-Corporation on 31.03.1979 and retired on 31.07.2014 after attaining the age of superannuation, who was entitled for release of pension and pensionary benefits etc., on the due date of entitlement, however, the same were not paid to him on account of financial constraints in the

respondent-Corporation. He further contends that number of retirees filed

contempt petitions on similar issue which were disposed of vide common order dated 05.01.2012 passed in ***COCP-668-2010*** titled ***Surinder Pal Singh and others Vs. Dr. D.S. Jaspal and another***, wherein respondent-Corporation assured that monthly pension of all the retirees would be properly scheduled through an effective mechanism and assurance was also given to release the commuted value of pension. He submits that another series of contempt petitions were filed before this Court and same were disposed of vide common judgment dated 30.05.2012 passed in ***COCP-739-2012*** titled ***Jagdish Singh and others Vs. Manvesh Singh Sidhu***. He further submits that petitioner is entitled to interest @18% per annum on the delayed release of pension and pensionary benefits including arrears etc., which was arbitrarily withheld after his superannuation.

In support of his contention, learned counsel for the petitioners has placed reliance upon ***Satbir Singh and others Vs. State of Haryana and others, 2002(2) SCT 354*** wherein it has been held that similarly situated persons should be extended the benefit *ipso-facto by the employer*, rather than forcing the employees to file writ petitions to claim similar relief. Learned counsel submits that the petitioners have also served legal notice dated 19.12.2022 (Annexure P-1) to respondents, which has not been taken into consideration till date and the petitioners would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

Mr. Rakesh Roy, Advocate for Mr. Abhilaksh Gaiind, Advocate has put in appearance in the Court who accepts notice on behalf of respondents and does not object to the prayer made by learned counsel for the petitioner.

In view of the pleadings in the present petition, without expressing

the legal notice dated 19.12.2022 (Annexure P-1), respondent No.1 is directed to decide the aforesaid 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 petitioner is found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to the petitioner within a period of 8 weeks thereafter.

The petition stands disposed of.

04.12.2023  
*Sapna*

(DEEPAK MANCHANDA)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |