

114 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25703-2023
Date of decision: 04.12.2023

Narinderjeet Singh and othersPetitioners

V/s

Pepsu Road Transport Corporation, Nabha Road, District Patiala
.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

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

DEEPAK MANCHANDA J. (ORAL)

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 the due admissible amount as well as interest on account of delayed release of amount, 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) wherein directions were issued to release 9% of interest on delayed payment of benefits including the pension and pensionary benefits and the judgment stands implemented.

Learned counsel for the petitioners contends that the petitioners had joined Corporation on 07.07.1994, 12.03.1994, 09.03.1994, 01.08.1980, 01.01.1996 and retired on 30.11.2022, 28.02.2023, 28.02.2023, 31.05.2020 and 31.08.2020 respectively. He further contends that the petitioners had been

representing personally and through union also to respondent-Corporation to

release the pension, pensionary benefits including G.P. Fund, arrears of pay, pensionary benefits, leave encashment, arrears of dearness allowance. However, when no action was taken, some retirees served a legal notice upon the respondents to release the due benefits, however, their grievance is common for releasing the due benefits along with release of interest on the delayed payment of arrears, pension and pensionary benefits. He also submits that the bunch of contempt petitions on similar issue had been disposed of vide common order dated 16.10.2014 passed in **COC-3059-2012** titled “**Vijay Kumar and others Vs. R.S. Ballian and others**”, wherein various directions were issued including grant of interest on delayed payment of the admissible amount. Since the pension and pensionary benefits including other arrears were not released to the employees of respondent-Corporation, large number of writ petitions were filed which were disposed of vide common judgment dated 03.03.2011 passed in **CWP-19084-2009, Malkiat Singh and another Vs. PRTC and another**.

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 06.08.2023 (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 Gaind, Advocate has put in appearance in the Court who accepts notice on behalf of respondent 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 06.08.2023 (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 petitioners are found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to the petitioners 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