

114

2024:PHHC:030971

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-5277-2024 (O&M)

Date of decision: 05.03.2024

Hardip Singh

....Petitioner

Versus

Punjab State Power Corporation Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. B.D. Sharma, Advocate for the petitioner.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to complete the service record of the petitioner and thereafter, grant full pension and other service/retiral benefits to him by counting the work charge service from 01.12.1986 to 01.12.1992, along with interest @12% per annum.
2. Learned counsel for the petitioner submits that for claiming the relief as claimed in the present petition, the petitioner has served a legal notice dated 27.09.2023 (Annexure P-4) upon the respondents and although reply was given by the Tarn Taran Division vide letter dated 18.10.2023 (Annexure P-6), however, no final decision on the said legal notice has been conveyed to the petitioner by the respondents. He further submits that the petitioner would be satisfied, if time bound directions are issued to respondent No.1 to consider the claim of the petitioner as submitted in the legal notice.
3. Notice of motion.

4. Mr. R.P.S. Bara, Advocate, who is present in the Court on receipt of advance copy of the writ petition, accepts notice on behalf of respondent No.1 and has no objection to the innocuous prayer made by the learned counsel for the petitioner.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.1 – Chairman-cum-Managing Director, Punjab State Power Corporation Limited, Patiala, is directed to consider and decide the claim made in the legal notice dated 27.09.2023 (Annexure P-4), in accordance with law, by passing a speaking order within a period of 03 months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled, necessary benefits be released, within a period of 04 weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioner merits rejection, the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioner within the time as stipulated hereinabove.
7. The petition stands disposed of.

05.03.2024

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(NAMIT KUMAR)

JUDGE

Whether speaking/reasoned:

Whether reportable:

Yes/No

Yes/No