

114

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12083-2024
Date of decision: 22.05.2024

MOHINDER SINGH

...Petitioner

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM AND OTHERS

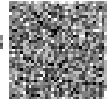
...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. B. K. Bagri, Advocate for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing PPO No.11613 dated 07.09.2022 (Annexure P-10) vide that 75% provisional pension is sanctioned inspite of the fact the suspension period is treated as leave w.e.f. 16.09.2005 to 18.09.2008 vide office order dated 02.11.2020 (Annexure P-8) and full pension case was submitted vide memo dated 04.06.2021 (Annexure P-9) and therefore, the petitioner is entitled for full pension instead of provisional pension, DCRG, Commutation on the basis of total length of service from 22.07.1986 till voluntary retired on 26.11.2008 along with arrear with interest @ 12% per annum and further to issue a writ in the nature of *mandamus* directing the respondents to grant 1st and 2nd ACP pay scale to the petitioner on the post of JE on completion of 10 and 20 years of regular service as per HCS (ACP) Rules, 1996 and 2006 with all consequential benefits along with interest @ 12% per annum.



2. Learned counsel for the petitioner submitted that the petitioner had served a legal notice dated 20.03.2024 (Annexure P-13) to the respondents but the same has not been considered and decided till date. He further submitted that at this stage, the petitioner will be satisfied in case the aforesaid legal notice dated 20.03.2024 (Annexure P-13) is considered and decided by the respondents in accordance with law and in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Samarth Sagar, Addl. A. G., Haryana, accepts notice on behalf of all the respondents. He submitted that in view of the limited prayer made by learned counsel for the petitioner, he has no objection in case a time bound direction is issued in this regard.

5. In view of the aforesaid facts and circumstances, without calling for the reply from the respondents and without expressing anything on the merits of the case, the present writ petition is disposed of with a direction to respondent No.1-Managing Director, UHBVNL, Panchkula/Competent Authority to consider and decide the legal notice dated 20.03.2024 (Annexure P-13) strictly in accordance with law and within a period of three months from today.

22.05.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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