



CWP-30757-2024

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

**CWP-30757-2024
Date of Decision: 14.11.2024**

Tara Chand

..... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Suresh Kumar Boudh, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing/setting aside the illegal and arbitrary action of the respondents to an extent of deduction/withholding of Rs.1,71,235/- from Gratuity (retiral benefit of the petitioner) vide Officer order No.GPO 13816/UHBVN/Pen-14033 dated 30.07.2018 (Annexure P-4) on retirement without issuing any charge-sheet, show-cause notice or chance of hearing to the petitioner with further prayer in the nature of *mandamus* directing the respondents to release the aforesaid amount to the petitioner along with 18% interest.

2. Learned counsel for the petitioner submitted that the petitioner had issued a legal notice dated 21.10.2024 vide Annexure P-16 to the respondent-Nigam 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 21.10.2024 (Annexure P-13) is directed to be considered and decided by the respondents in the light of the judgment



dated 08.05.2024 passed by this Court in **CWP-21155-2023** titled as “**Sat Pal Vs. Uttar Haryana Bijli Vitran Nigam and others**” (Annexure P-11) whereby similar relief has been granted to the petitioner of the aforesaid petition by passing a speaking order in accordance with law in a time bound manner.

3. Notice of motion.
4. On the asking of the Court, Ms. Rajni Gupta, Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents. She states that she has instructions to state that the respondents will decide the aforesaid legal notice dated 21.10.2024 issued by the petitioner vide Annexure P-16 within a priod of three weeks from today.
5. In view of the aforesaid position, without calling for the reply from the respondents and without observing anything on the merits of the case, the present petition is disposed of with a direction to the competent authority of the respondent-Nigam to consider and decide the legal notice dated 21.10.2024 issued by the petitioner vide Annexure P-16 in the light of the judgment passed in **Sat Pal’s case (Supra)** vide Annexure P-11 strictly in accordance with law by passing a well-reasoned speaking order within a period of three weeks from today.

14.11.2024
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No