



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

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**CWP-14824-2026 (O&M)
Date of decision: 13.05.2026**

Vijay Kumar

....Petitioner

Versus

Pepsu Road Transport Corporation and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Anamika Sheoran, Advocate
for the petitioner.

Mr. Anupam Singla, Advocate
for the respondents.

HARPREET SINGH BRAR 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 grant pension and other retiral benefits to the petitioner under the PRTC Regulations, 1992 and to pay all the arrears along with interest @ 12%.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner has been working as a Conductor in PRTC. A charge-sheet dated 13.05.1999 was issued to him on the allegations of suspected fraud of Rs.132/- and indiscipline. The Enquiry Officer vide report dated 30.08.2001 exonerated the petitioner from the allegation of fraud and only the charge of indiscipline was held proved. Despite the said finding, the petitioner was dismissed from service vide order dated



29.07.2003 and his appeal was also dismissed on 23.10.2003. Thereafter, the petitioner filed a civil suit, which was partly decreed and the matter was remanded to the punishing authority for passing a fresh order. However, instead of granting appropriate relief, the respondents re-issued the same charge-sheet on 08.05.2013 and again dismissed the petitioner from service. Aggrieved against the same, the petitioner filed CWP No.1952 of 2020, before this Court which was allowed vide judgment dated 26.04.2023 with a direction to respondents therein to reinstate the petitioner with all consequential benefits. Learned counsel for the petitioner further submits that the said judgment was not complied with by the respondents and the petitioner was compelled to approach this Court again by filing COCP No.2707 of 2023, which was disposed of with liberty to submit a representation. Pursuant thereto, the petitioner submitted the representation dated 07.09.2024. (Annexure P-2). However, the same was rejected vide order dated 06.02.2025 on the ground that gratuity, leave encashment and CPF amount had already been paid. Learned counsel for the petitioner further contends that despite the specific directions issued by this Court for grant of all consequential benefits, the respondents have illegally treated the petitioner as a member of the CPF Scheme and have failed to release the retiral/pensionary benefits admissible under the PRTC Regulations, 1992. She further submits that though COCP No.2385 of 2025 was disposed of on 18.07.2025 on the statement made on behalf of the respondents that all dues had been paid, the statutory retiral benefits



under the applicable Regulations still remain unpaid. Learned counsel for the petitioner further contends that the petitioner also served a legal notice dated 18.02.2026 upon the respondents, however, the same has not been decided till date.

2.1. Learned counsel for the petitioner submits that she would be satisfied if the legal notice dated 18.02.2026 (Annexure P-5) of the petitioner is decided by respondent No.2 by passing a speaking order in a time bound manner.

3. Learned counsel for the respondents, appearing on advance notice, submits that the petitioner has failed to exercise the option within the stipulated period and as such, he is not entitled to the relief claimed in terms of the judgments rendered by the Hon'ble Supreme Court in ***Pepsu Road Transport Corporation, Patiala vs Mangal Singh and others, 2011(11) SCC 702*** and ***Pepsu Road Transport Corporation, Patiala vs Amandeep Singh and others, 2017(1) SCT 432***. Learned counsel for the respondents, however, submits that he has no objection, in case a direction is issued to respondent No.2 for time-bound consideration and decision of the legal notice dated 18.02.2026 (Annexure P-5) filed by the petitioner by passing a speaking order.

4. Therefore, in view of the limited prayer made by learned counsel for the petitioner and without commenting further on the veracity of claim raised by the petitioner, the respondent No.2 is directed to consider the legal notice dated 18.02.2026 (Annexure P-5) of

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the petitioner and pass a speaking order, after affording an opportunity of hearing to the petitioner, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted forthwith by respondent No.2.

5. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

13.05.2026
yakub

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