
Kuldeep Singh Vs Pspcl & Ors.

Civil Writ Petition No. 18279 Of 2020

Court: High Court Of Punjab And Haryana At Chandigarh

Date of Decision: Nov. 2, 2020

Citation: (2020) 11 P&H CK 0002

Hon'ble Judges: Harinder Singh Sidhu, J

Bench: Single Bench

Advocate: Rajat Garg

Final Decision: Dismissed

Judgement

Singh Sidhu, J

A writ of Mandamus is sought directing the respondents to file detailed reply to the legal notice dated 16.07.2020 (P.1) qua grant of pension and other

retiral benefits.

It is stated that the petitioner was appointed as Work Charge T-Mate in June 1973. He worked for 304 days in various Divisions of PSPCL.

Thereafter his services were regularized and he was appointed as ALM in November 1976. It is stated that his services were terminated w.e.f

10.09.1996 vide office Order dated 05.12.2004 as he had not resumed his duty after availing earned leave from 10.09.1996 to 04.10.1996. The

petitioner is stated to have applied for pre-mature voluntary retirement in the year 1997 i.e much before his termination as he had completed requisite

20 years of service, though no decision was taken thereon instead his services were terminated.

Learned counsel for the petitioner contends that the petitioner is entitled to pension and other retiral benefits. It is contended that the petitioner was on

earned leave and his services were wrongly terminated and that in the year 1997, he had sought for voluntary retirement on completion of 20 years of

service.

It is apparent from the case file that the petitioner remained absent for the period from 10.09.1996 till the termination order was communicated to him.

Services of the petitioner were terminated in 2004. The claim of the petitioner is highly belated. There is no justification or explanation as to what

prevented the petitioner to challenge his alleged termination which admittedly took place long sixteen years back. Though, the petitioner had submitted

a representation for pre-mature voluntarily retirement but he did not pursue the same. Merely writing legal notice at such a belated stage cannot be

considered to be a good ground for condoning inordinate delay especially when he has never raised his grievance before the authorities during all this

while after his termination.

In the light of foregoing discussion, the petition is held to be bereft of merit and is ordered to be dismissed.