

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

CWP No.26900 of 2014

Date of Decision:19/03/2015

Sarabjit Kaur

...Petitioner

Versus

Punjab State Power Corporation Ltd. and others

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Varinder Shukla, Advocate for the petitioner.

1. To be referred to the reporters or not?
2. Whether the judgment should be reported in the digest.

DEEPAK SIBAL, J. (Oral)

Two grievances have been raised by the petitioner through the present writ petition. Firstly, a claim is made for the grant of promotional increments on completion of 23 years of service and secondly for the grant of one increment for discharging duty as a Cashier.

For the above two reliefs, the petitioner had got served a legal notice to the respondents but when the same went undecided, he had approached this Court by filing CWP No.6976 of 2014. This writ petition disposed of vide order dated 11.4.2014 directing the respondents to decide the aforesaid legal notice within a period of three months. The abovesaid legal notice was decided through order dated 9.7.2014 through which both the claims made by the petitioner were rejected. It is against this order, the present writ petition has been filed.

So far as the first grievance with regard to grant of promotional increment on completion of 23 years is concerned, the same has been denied to the petitioner while relying on the applicable circular dated 28.7.2000 pertaining to the grant of said promotional increment. Clause iii) of the said

circular which is relevant is reproduced below for ready reference:

“He/she has not been placed in a scale which is higher than the scale of his/her next higher post”

The above condition of the circular makes it clear that in case an employee is placed in higher scale which is higher than the scale of her next higher post then that employee is not entitled to grant of promotional increment on completion of 23 years of service.

It is admitted before me that the petitioner is already placed in a scale which is higher than the scale of her next higher post. That being so, I find no fault in the impugned order dated 9.7.2014, qua the first grievance of the petitioner as mentioned earlier.

So far as the second grievance with regard to grant of one additional increment for discharging duty as a Cashier is concerned, I find that the impugned order contains no reason for denying the same. That being so, I grant one more opportunity to respondent No.2 to consider and decide the claim of the petitioner with regard to the second grievance i.e. grant of one additional increment for having discharged the duty of Cashier. This claim be considered and decided by passing a speaking and reasoned order within two months from the date of receipt of a certified copy of this order.

Disposed of accordingly.

(DEEPAK SIBAL)
JUDGE

19.03.2015
rajeev