

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

**CWP No.12731 of 2011
Decided on : 02.05.2016**

Mukhtiar Singh

... Petitioner

Versus

Punjab State Power Corporation Ltd. and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : None for the petitioner.

Mr. Ashok S. Chaudhry, Advocate
for respondents No.1 to 4.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks a direction for grant of promotion to the post of Junior Engineer Sub Station w.e.f. 15.10.2009 when his juniors i.e respondents No.5 to 10 were promoted. Accordingly, he prays that the arrear of the pay-scale fixed for the post of Junior Engineer Sub Station be paid alongwith interest @ 18% per annum.

It is also matter of record that the petitioner has now retired on 31.05.2010.

The defence of the respondent-Corporation is that the petitioner had not applied within the prescribed period and not given his option and, therefore, his case could not be considered for promotion. It is submitted that the last date for giving the option was 29.09.2009. It is submitted that he had given his option on 09.11.2009 which was forwarded on 12.11.2009, as per Annexure R-6.

The fact remains that the petitioner has only been denied promotion, on account of the reason that he did not furnish the necessary requirements within the time prescribed. Thereafter, he had given his consent which was duly forwarded and the respondent-Corporation has not denied the fact that petitioner is not entitled for promotion. Accordingly, the present writ petition stands disposed of with the direction to the respondent-Corporation to consider the case of the petitioner for the said request once the same was forwarded by the competent authority.

The respondent-Corporation shall pass a speaking order and decide the issue whether the petitioner is entitled for promotion from the date when the request was forwarded. The necessary exercise be carried out within a period of 2 months from the receipt of the copy of this order. In case, the same is to be denied a reasoned order be passed and conveyed to the petitioner. In case the petitioner is granted the necessary relief, the consequential benefits be given to him within a period of 2 months, thereafter.

With the abovesaid observations, the present writ petition stands disposed of.

MAY 02, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE