

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

Date of decision: 27.05.2016

CWP No.10792 of 2016

Jagtar Singh

...Petitioner

Vs.

Punjab State Power Corporation Limited & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. A.K Walia, Advocate, for the petitioners.

1. *To be referred to the Reporters or not?*
2. *Whether the judgment should be reported in the Digest?*

RAJIV NARAIN RAINA, J. (ORAL)

The representation filed by the petitioner and two of his colleagues was forwarded to the authority concerned by the Deputy Secretary (Establishment), Guru Nanak Dev Thermal Plant, Bathinda with the approval of the Chief Engineer (Thermal) vide memo dated 06.09.2013. Thereafter, on 19.09.2013, the Chief Engineer (Thermal) was informed by letter that individual cases have not been sent separately along with proposals and comments as required by Finance Circular No.226/98 dated 22.07.1998 [meaning thereby, things which hampers decision-making]. In absence of supply of material particulars regarding the service record of the petitioner, a decision could not be taken and thereafter there is complete silence on the record and no words spoken on file. The petitioner has approached this Court for directions to the respondents to decide his pay anomaly case which is the subject matter dispute in the representation.

Mr. Walia says on instructions of his client that he would be satisfied if a direction is issued to the respondents at the preliminary hearing to consider and decide his representation pending for about three years.

The prayer is accepted as fair and reasonable. A direction is issued to the competent authority in Punjab State Power Corporation Limited to pass a final order on the representation of the petitioner within two months from the date of receipt of certified copy of this order. In case, the petitioner is required to be associated with his service details, he may be called and heard before the case is decided. The official decision would needless to say contain meaningful reasons in case the order is adverse to the petitioner. However, if the petitioner has a demonstrated right to the claim and relief is found justified then there would be no necessity to pass a reasoned order and instead a simple office order will suffice. In case the decision is adverse, the same be conveyed to the petitioner without loss of time. In case, his claim is found as per rules, then all consequential benefits would flow to him. Such benefits be paid after computation on seeking satisfaction of the petitioner as to the calculation within the next month.

The petition stands disposed of with the above observations and directions.

27.05.2016
Vimal

[RAJIV NARAIN RAINA]
JUDGE