

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

Date of decision: 25.04.2016

CWP No.7476 of 2016

Sukhminder 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 petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

The petitioner is in service of the respondent-Corporation. He has approached this Court for removal of pay anomaly w.e.f. the year 1996 and then again in 2001 as a result of which person junior to him, namely, Harbans Singh is getting more pay than the petitioner since February, 2001.

The file reveals that case of the petitioner was moved towards active consideration in the year 2011, but it was returned by respondent No.1 to respondent No.2 vide communication dated 19.09.2013 (Annex P-6). Thereafter, the process of consideration has come to a grinding halt. The petitioner has been representing to the competent authority but without success. Mr. Walia appearing for the petitioner pleads in the circumstances that a direction may go to the competent authority amongst the respondents to consider and decide his pay anomaly grievance.

The request is appear to be fair and reasonable and is accepted since the view of the Administrator is not known to the petitioner. The cause of action is recurring as the petitioner loses by the passing day and relief if found

due can always be moulded in such manner as may suit the facts and circumstances by imposing reasonable and permissible restrictions on a claim for money from where it becomes legally due.

In view of the above, this writ petition is disposed of with a direction to the respondents to consider and decide the case of the petitioner within two months from the date of receipt of certified copy of this order. If the petitioner asks for personal hearing, it shall be granted.

However, this order will not be read as an expression of opinion on merits or on any bar law may require to recognize which may have come into operation during the interregnum.

[RAJIV NARAIN RAINA]
JUDGE

25.04.2016
Vimal