

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

**CWP No. 18602 of 2017
DECIDED ON: SEPTEMBER 26, 2017**

MADAN LAL SHARMA

.....PETITIONER

VERSUS

**CHIEF MANAGING DIRECTOR PUNJAB STATE POWER
CORPORATION LTD AND ORS**

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Harshit Jain, Advocate
 for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226 and 227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to grant the benefit of promotional increment (s) to the petitioner, in view of circular dated April 23, 1990 (P-1) as well as in view of judgment passed by this Court in CWP No. 10808 of 2007 (P-7) and CWP No. 7538 of 2014 as well as in view of the office order dated May 11, 2015 passed by respondent-Corporation whereby, benefit of 23 years promotional increment has already been granted to the similar situated employees.

2. At the very outset, learned counsel for the petitioner submits that though a legal notice dated June 05, 2017 (Annexure P-4) was served upon the respondents but till date no action has been taken. He further submits that he feels satisfied in case a direction is issued to respondent No.1 to consider and dispose of the legal notice (Annexure P-4) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioner in the legal notice dated June 05, 2017 (Annexure P-4) and to take a conscious decision as per rules, regulations, instructions issued by the Government from time to time as well as in view of judgment passed in CWP No. 19234 of 2017, titled as **Mahinder Singh vs. Punjab State Power Corporation Ltd. & Others,** decided on December 23, 2015 (Annexure P-7) and judgment passed in CWP No. 10808 of 2007, titled as **Paul Singh vs. Punjab State Electricity Board, Patiala through its Secretary and others,** decided on January 24, 2012 which has attained finality and LPA No.883 of 2012 preferred against the said judgment as well as SLP No. 20468 of 2012 have already been dismissed, within a period of three months from the date of receipt of certified copy of this order.

4. However, the claim of the petitioner would be restricted to 38 months prior to the filing of instant writ petition. In case petitioner still feels aggrieved, he shall be at liberty to approach this Court.

SEPTEMBER 26, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes/No***

Whether reportable ***Yes/No***