

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 19037 OF 2017 (O&M)
DECIDED ON: SEPTEMBER 12, 2017

DASAUNDHI RAM

....PETITIONER..

VERSUS

PUNJAB STATE POWER CORPORATION LTD..RESPONDENTS..
AND OTHERS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jaspal Singh Maanipur, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

CM-12641-CWP-2017

Application is allowed as prayed for. Documents (Annexures P-4 to P-6) are taken on record, subject to all just exceptions. Be tagged at appropriate place.

CM stands disposed of.

Main case

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus, directing the respondents to grant the pay at par with junior of the petitioner in terms of law laid down by the Hon'ble Apex Court in case “*Er.*

Gurcharan Singh Grewal and another v. Punjab State Electricity Board and

others", 2009(1) SCT 623 (Annexure P-1).

2. At the very outset of the arguments, learned counsel for the petitioner contends that petitioner feels satisfied in case direction is issued to respondent(s) to decide legal notice dated 05.12.2016 (Annexure P-3), which was duly served upon the respondents, within a stipulated period.

3. Instant petition is disposed of with a direction to respondent(s) to look into the grievances unfolded by the petitioner in his legal notice dated 05.12.2016 (Annexure P-3) and to decide the same as per Rules, Regulations prevailing as well as while considering decision of Hon'ble Supreme Court in ***Er. Gurcharan Singh Grewal's*** case (supra), however, relief shall stand restricted to 38 months in view of Full Bench judgment of this Court in "***Saroj Kumari v. State of Punjab and others***", 1998(3) SCT 664 (Annexure P-2) in paras No. 9 to 11 and various order(s) passed by the department concerned from time to time, within a period of four months from the date of receipt of certified copy of this order. As far as grant of interest on delayed payment is concerned that may also be considered in view of the observations made by Full Bench judgment of this Court in case captioned as "***R.S. Randhawa vs. State of Punjab***, 1997 (3) RSJ 318.

4. However, if the petitioners still feel aggrieved of the order passed by the concerned authority, they shall be at liberty to approach this Court.

SEPTEMBER 12, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***