

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.130

Civil Writ Petition No.20114 of 2017
DECIDED ON: September 06, 2017

DHANI RAM

..PETITIONER

VERSUS

HARYANA POWER GENERATION CORPORATION LTD. AND
OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to grant benefit of judgment of this Court in case *Sudesh Kumar vs. Haryana Power Generation Corporation Ltd. and another*, CWP No.12059 of 2009 decided on 08.04.2015 (P-4), which was implemented vide order No.15 dated 11.01.2017 (P-6) whereby the similarly situated employee like the petitioner was granted the retrospective promotion as Turbine Operator w.e.f. the date Shri Kanshi son of Shri Jadu Ram, who is junior to the petitioner, as the petitioner and Shri Sudesh

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Kumar are in identical situation and there is no difference between them and grant him all the consequential benefits including pensionary benefits along with interest @ 9% p.a. and further respondents be directed to take final decision on legal notice (P-8), which has been kept pending without any decision in terms of law laid down by Hon'ble Apex Court of India in case of "***State of Karnataka and ors. vs. C. Lalitha***" reported as 2006(2) RSJ page 19 and the law laid down by this Court in case of "***Satbir Singh vs. State of Haryana and ors.***", reported as 2002 (3) RSJ page 38.

2. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.1 to decide legal notice dated June 16, 2017 (Annexure P-8) in a time bound manner.

3. Instant petition is disposed of with a direction to respondent No.1-Managing Director, Haryana Power Generation Corporation Limited, C-7, Urja Bhawan, Sector 6, Panchkula (Haryana) to look into the grievances unfolded by the petitioner in his Legal Notice dated June 16, 2017 (Annexure P-8) and take a conscious decision strictly in terms of CWP No.15833 of 2017 captioned as ***Om Parkash vs. Haryana Power Generation Corporation Ltd. and ors.*** decided on July 21, 2017 passed by this Court within a period of three months from the date of receipt of a certified copy of this order.

4. However, if petitioner still feels aggrieved by any order of the afore-said authority, he shall be at liberty to approach this Court.

September 06, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No