

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

**CWP No.22067 of 2017
DECIDED ON: SEPTEMBER 27, 2017**

DES RAJ

.....PETITIONER..

VERSUS

**PUNJAB STATE POWER CORPORATION
LTD. AND ORS.**

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Brijesh Nandan, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of writ especially in the nature of mandamus directing the respondents to grant the benefit of promotional increment(s), in view of circular dated 23.04.1990 (Annexure P-1), judgments passed by this Court in CWP No.20139 of 2015 (Annexure P-10), CWP No. 10689 of 2016 (Annexure P-11) and CWP No. 17313 of 2017 (Annexure P-13) as well as in view of office orders (Annexures P-5 to P-7) by which the benefit of 23 years promotional increment has already been granted to the similar situated employees. AS WELL AS to release the benefits as claimed vide legal notice dated 21.08.2016 (P-12) representation dated 12.09.2011 (P-8)

and reminder along with interest @ 18% from the date when it became due till realization.

2. At the very outset of the arguments, learned counsel for the petitioner submits that though legal notice dated 21.08.2016 (P-12), was duly served upon the respondents but till date no conscious decision has been taken. He submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide aforesaid legal notice, 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 21.08.2016 (Annexure P-12) and to decide the same as per circular dated 23.04.1990 (Annexure P-1) and considering the judgments passed by this Court in CWP No.20139 of 2015, titled as ***“Chiman Singh v. Punjab State Power Corporation Ltd. and ors”***, decided on 29.02.2016 (Annexure P-10), CWP No. 10689 of 2016, titled as ***“Gursharan Singh v. Punjab State Power Corporation Ltd. and ors”***, decided on 26.05.2016 (Annexure P-11) and CWP No. 17313 of 2017, titled as ***“Kashmir Singh v. Punjab State Power Corporation Ltd. and ors”***, decided on 08.08.2017 (Annexure P-13) as well as in view of office orders (Annexures P-5 to P-7), within a period of two months from the date of receipt of certified copy of this order. 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.***

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as ***“R.S. Randhawa vs. State of Punjab, 1997 (3)***

RSJ 318.

5. However, if the petitioner still feels aggrieved of the order passed by the concerned authority, he shall be at liberty to approach this Court.

SEPTEMBER 27, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***