

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.24738 of 2017

DECIDED ON: NOVEMBER 01, 2017

AMRIK SINGH AND OTHERS

.....PETITIONERS..

VERSUS

PUNJAB STATE POWER CORPORATION
LTD. AND OTHERS

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sunny Singla, Advocate,
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus directing the respondents to grant the benefit of revised pay and pension benefits etc., after granting the benefit of 23 years promotional increment(s) to the petitioners, in view of circular dated 23.04.1990 (P-1), especially in view of judgments passed by this Court in CWP No. 10808 of 2007 and CWP No.7538 of 2014 and other judgments and in view of letter dated 11.05.2015 (P-9) issued by the respondent-corporation by which the benefit of 23 years promotional increment has already been granted to the similar situated employees. And further for release of interest @ 12% per annum from the date when it became due till its realization.

2. At the very outset of the arguments, learned counsel for the petitioners submits that though legal notice dated 04.07.2017 (Annexure P-10)

was duly served upon the respondents but till date no conscious decision has been taken. He further submits that petitioners feel 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 petitioners in their legal notice dated 04.07.2017 (Annexure P-10) and to decide the same in view of circular dated 23.04.1990 (Annexure P-1) as well as in the light of various judgments passed by this Court in CWP No.10808 of 2007, CWP No. 7538 of 2014 and letter dated 11.05.2015 (Annexure P-9), 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 petitioners still feel aggrieved of the order passed by the concerned authority, they shall be at liberty to approach this Court.

NOVEMBER 01, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***