

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

CWP No.26144 of 2017

DECIDED ON: NOVEMBER 16, 2017

BALDEV SINGH

.....PETITIONER..

VERSUS

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

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Kanwaljeet Singh, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought issuance of a writ of mandamus directing the respondents to grant the benefit of 23 years advance promotional increments w.e.f. 04.01.2009 as per principal policy under Finance Circulars 17/1990 dated 23.04.1990 amended from time to time, with consequential re-fixation of pay and retiral benefits and to release the arrears of revised pay and retiral benefits along with interest @ 12% p.a.

2. Petitioner retired from service on 31.07.2010.

3. At the very outset of the arguments, learned counsel for the petitioner submits that though legal notice dated 03.10.2017 (Annexure P-5) was duly served upon the respondents but till date no conscious decision has been taken. He further 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 03.10.2017 (Annexure P-5) 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. 14589 of 2007, 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.

NOVEMBER 16, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*