

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.115

Civil Writ Petition No.10064 of 2018
DECIDED ON: April 25, 2018

SOHAN SINGH AND OTHERS

..PETITIONERS

VERSUS

PUNJAB STATE POWER CORPORATION LIMITED AND
ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ particularly in the nature of Mandamus directing the respondents to grant the benefit of revised pay and pension etc., after granting the benefit of 23 years promotional increment to them, in view of the circular dated 23.04.1990 (P-1), especially in view of the judgments passed by this Court in CWP No.20139 of 2015 (*Chiman Singh Vs. Punjab State Power Corporation Ltd. & ors.*) decided on 29.02.2016 and CWP No. 10994 of 2016 (*Pritpal Singh Vs. Punjab State Power Corporation Ltd. & anr.*) decided on 20.12.2016 and in view of the letter dated 11.05.2015

Civil Writ Petition No.10064 of 2018

(P-9) issued by the respondent-Corporation, by which the same benefit has already been granted to the similarly situated employees and further to grant the interest @ 12% per annum.

2. The contention of learned counsel for the petitioners is that the petitioners have joined respondent-department on different dates and they became entitled for the release of benefit of 23 years promotional increment but no such benefit was granted to them till date though the similar relief has already been granted to the other employees of the State of Punjab. The petitioners stood retired on different dates on attaining the age of their superannuation. The petitioners being aggrieved of the non-disbursal of the benefits of 23 years promotional increment were constrained to serve legal notice upon the respondents on 06.11.2017 (P-10), but till date no response has been received. Learned counsel further submits that the petitioners feel satisfied in case a direction is given to respondents, to decide the legal notice (P-10), within a stipulated period.

3. Taking into consideration the aforesaid aspects but without expressing any opinion on merits of the case, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioners in the legal notice dated 06.11.2017 (P-10) and take a conscious decision within a period of three months from the date of receipt of a certified copy of this order, particularly in the light of the instructions as well as the judgments referred to above in para 1 of this order. In case, competent authorities come to the conclusion that petitioners are entitled to the relief(s) claimed, it shall stand restricted to 38 months in view of Full Bench judgment of this Court in case “***Saroj Kumari vs. State of Punjab & ors., 1998 (3) SCT 664***”.

Civil Writ Petition No.10064 of 2018

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of judgment passed by Full Bench of this Court in case ***A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*** as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as ***Charan Dass vs. State of Punjab & Ors.*** decided on July 11, 2017 and Instructions No.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab. However, if petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to approach this Court

April 25, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**