IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.10437 OF 2018
DECIDED ON: APRIL 27, 2018

JAGROOP SINGH **.....PETITIONER**

VERSUS

PUNJAB STATE POWER CORPORATION LTD. AND ANR. **.....RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ravinder Sharma, Advocate,
for the petitioner.

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JASPAL SINGH, J.

By virtue of instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ particularly in the nature of Mandamus directing the respondents to grant him the benefit of 23 year advance promotional increment(s), in view of Finance Circular No.17/90 dated 23.04.1990 amended from time to time, with consequential re-fixation of pay and retiral benefits, pension and to release the arrears of revised pay and retiral benefits, pension along with interest @ 18% p.a.

2. The contention of learned counsel for the petitioner is that the petitioner has joined respondent-department as Assistant Lineman on 16.07.1976 and retired from service on 31.05.2012, thus, he became entitled for the release of benefit of 23 years promotional increment but no such benefit was

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granted to him till date. He further contended that though the similar relief has already been granted to the other employees of the State of Punjab vide 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, CWP No. 10994 of 2016 (***Pritpal Singh Vs. Punjab State Power Corporation Ltd. & anr.***) decided on 20.12.2016 and CWP No. 8391 of 2018, decided on 05.04.2018. The petitioner stood retired on 31.05.2012 on attaining the age of superannuation i.e. 58 years. The petitioner being aggrieved of the non-disbursal of the benefits of 23 years promotional increment was constrained to serve legal notice upon the respondents on 10.03.2018 (P-4), but till date no response has been received. Learned counsel further submits that the petitioner feels satisfied in case a direction is given to respondent No.1, to decide the aforesaid legal notice (P-4), within a stipulated period.

3. Without expressing any opinion on merits of the case but considering the aforesaid aspects as has been unfolded by the learned counsel for the petitioner, instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioner in legal notice dated 10.03.2018 (P-4) and to 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 Circular Nos. 17/90, dated 23.04.1990 (P-1), 52/99, dated 09.11.1999 (P-2) and 20/2000, dated 28.07.2000 (P-3) as well as the judgments referred to above in para 2 of this order. In case, competent authorities come to the conclusion that petitioner is entitled to the relief(s) claimed, the same be released to him within a period of next 45 days.

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4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to other remedies available to him under law including to approach this Court.

APRIL 27, 2018 **(JASPAL SINGH)**
sonika **JUDGE**

Whether speaking/reasoned ***Yes***
Whether reportable ***Yes/No***

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