

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

(1) CWP No. 17100 of 2016 (O&M)
Paramjit Singh ...Petitioner(s)
Versus

Punjab State Power Corporation Ltd. and others
...Respondent(s)

(2) CWP No. 17101 of 2016 (O&M)
Makhan Singh ...Petitioner(s)
Versus

Punjab State Power Corporation Ltd. and others
...Respondent(s)

(3) CWP No. 17102 of 2016 (O&M)
Bikar Singh ...Petitioner(s)
Versus

Punjab State Power Corporation Ltd. and others
...Respondent(s)

(4) CWP No. 17103 of 2016 (O&M)
Parshotam Ram ...Petitioner(s)
Versus

Punjab State Power Corporation Ltd. and others
...Respondent(s)

(5) CWP No. 17104 of 2016 (O&M)
Tejinder Pal ...Petitioner(s)
Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(6)

CWP No. 17105 of 2016 (O&M)

Balwant Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(7)

CWP No. 17106 of 2016 (O&M)

Dharam Pal

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(8)

CWP No. 17107 of 2016 (O&M)

Rajinder Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(9)

CWP No. 19954 of 2016 (O&M)

Ranjit Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(10)

CWP No. 19955 of 2016 (O&M)

Krishan Kumar

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(11)

CWP No. 19956 of 2016 (O&M)

Ram Sarup

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(12)

CWP No. 19957 of 2016 (O&M)

Mukhtiar Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(13)

CWP No. 19958 of 2016 (O&M)

Gurdev Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(14)

CWP No. 19959 of 2016 (O&M)

Harbhajan Kaur

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(15)

CWP No. 18561 of 2016 (O&M)

Baldev Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(16)

CWP No. 18562 of 2016 (O&M)

Gurdeep Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(17)

CWP No. 18563 of 2016 (O&M)

Gurmail Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(18)

CWP No. 18564 of 2016 (O&M)

Nazir Masih

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(19)

CWP No. 18565 of 2016 (O&M)

Balwinder Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(20) CWP No. 18566 of 2016 (O&M)
Gurdev Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(21) CWP No. 18567 of 2016 (O&M)
Gurcharan Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(22) CWP No. 18568 of 2016 (O&M)
Bikkar Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(23) CWP No. 20307 of 2016 (O&M)
Tarsem Lal ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(24) CWP No. 20308 of 2016 (O&M)
Kehar Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others

		...Respondent(s)
(25)	CWP No. 20309 of 2016 (O&M)	
Ram Chand Nohria		...Petitioner(s)
Versus		
Punjab State Power Corporation Ltd. and others		...Respondent(s)
(26)	CWP No. 20310 of 2016 (O&M)	
Gurnam Singh		...Petitioner(s)
Versus		
Punjab State Power Corporation Ltd. and others		...Respondent(s)
(27)	CWP No. 20311 of 2016 (O&M)	
Kattar Singh		...Petitioner(s)
Versus		
Punjab State Power Corporation Ltd. and others		...Respondent(s)
(28)	CWP No. 20312 of 2016 (O&M)	
Darshan Singh		...Petitioner(s)
Versus		
Punjab State Power Corporation Ltd. and others		...Respondent(s)
(29)	CWP No. 20356 of 2016 (O&M)	
Sham Varinder Paul		...Petitioner(s)
Versus		

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(30)

CWP No. 20407 of 2016 (O&M)

Shankar Lal

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(31)

CWP No. 17177 of 2016 (O&M)

Roop Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(32)

CWP No. 17243 of 2016 (O&M)

Gurjant Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(33)

CWP No. 17244 of 2016 (O&M)

Amar Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(34)

CWP No. 18448 of 2016 (O&M)

Saudagar Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(35)

CWP No. 18487 of 2016 (O&M)

Karnail Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(36)

CWP No. 22813 of 2016 (O&M)

Balwinder Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(37)

CWP No. 22814 of 2016 (O&M)

Raj Kumar

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(38)

CWP No. 22845 of 2016 (O&M)

Shami Kumar

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(39)

CWP No. 23045 of 2016 (O&M)

Keshu Ram

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(40)

CWP No. 20980 of 2016 (O&M)

Sadhu Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(41)

CWP No. 20992 of 2016 (O&M)

Major Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(42)

CWP No. 20993 of 2016 (O&M)

Prem Chand

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(43)

CWP No. 21007 of 2016 (O&M)

Gurnaam Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(44) CWP No. 21009 of 2016 (O&M)
Pawan Kumar ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(45) CWP No. 23363 of 2016 (O&M)
Madan Lal ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(46) CWP No. 17964 of 2016 (O&M)
Boota Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(47) CWP No. 21317 of 2016 (O&M)
Gurdeep Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(48) CWP No. 21318 of 2016 (O&M)
Ajaib Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others

...Respondent(s)

(49) CWP No. 21447 of 2016 (O&M)

Gurcharan Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(50) CWP No. 21147 of 2016 (O&M)

Sher Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(51) CWP No. 21159 of 2016 (O&M)

Jagjit Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(52) CWP No. 21162 of 2016 (O&M)

Gurnam Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(53) CWP No. 21174 of 2016 (O&M)

Gurjant Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(54) CWP No. 21181 of 2016 (O&M)

Om Parkash

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(55) CWP No. 21258 of 2016 (O&M)

Shinder Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(56) CWP No. 22709 of 2016 (O&M)

Surya Bhadur

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(57) CWP No. 22774 of 2016 (O&M)

Jai Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(58) CWP No. 22780 of 2016 (O&M)

Amin Chand

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(59)

CWP No. 17959 of 2016 (O&M)

Sanjeev Kumar

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(60)

CWP No. 17960 of 2016 (O&M)

Rajinder Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(61)

CWP No. 17961 of 2016 (O&M)

Dial Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(62)

CWP No. 17962 of 2016 (O&M)

Kirpal Singh Chauhan

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(63)

CWP No. 17963 of 2016 (O&M)

Gurdit Singh
...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others
...Respondent(s)

(64) CWP No. 24217 of 2016 (O&M)

Roop Chand
...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others
...Respondent(s)

(65) CWP No. 24245 of 2016 (O&M)

Gian Singh
...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others
...Respondent(s)

(66) CWP No. 24253 of 2016 (O&M)

Sukhdev Singh
...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others
...Respondent(s)

(67) CWP No. 24257 of 2016 (O&M)

Mangal Ram
...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others
...Respondent(s)

(68) CWP No. 20557 of 2016 (O&M)
Bhagirath ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(69) CWP No. 20558 of 2016 (O&M)
Budh Ram ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(70) CWP No. 20621 of 2016 (O&M)
Ram Jiwan ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(71) CWP No. 20631 of 2016 (O&M)
Harbhajan Lal ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(72) CWP No. 22133 of 2016 (O&M)
Harbhajan Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others

...Respondent(s)

(73) CWP No. 22134 of 2016 (O&M)

Heera Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(74) CWP No. 22135 of 2016 (O&M)

Lal Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(75) CWP No. 22136 of 2016 (O&M)

Sadhu Ram

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(76) CWP No. 22137 of 2016 (O&M)

Rattan Lal Kalra

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(77) CWP No. 18943 of 2013 (O&M)

Varinder Kumar Sehgal

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(78) CWP No. 3026 of 2017 (O&M)

Neelam Rani

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(79) CWP No. 3027 of 2017 (O&M)

Resham Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(80) CWP No. 3028 of 2017 (O&M)

Nasib Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(81) CWP No. 3029 of 2017 (O&M)

Tek Chand

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(82) CWP No. 3030 of 2017 (O&M)

Puran Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(83)

CWP No. 3031 of 2017 (O&M)

Jarnail Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(84)

CWP No. 3032 of 2017 (O&M)

Jasmail Kaur

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(85)

CWP No. 3033 of 2017 (O&M)

Narinderpal Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(86)

CWP No. 3034 of 2017 (O&M)

Vishwa Mittar

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(87)

CWP No. 1513 of 2017 (O&M)

Roshan Lal

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(88)

CWP No. 1545 of 2017 (O&M)

Naksed

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(89)

CWP No. 1549 of 2017 (O&M)

Savinder Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(90)

CWP No. 1550 of 2017 (O&M)

Varinder Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(91)

CWP No. 1553 of 2017 (O&M)

Jeet Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(92) CWP No. 25095 of 2016 (O&M)
Gurcharan Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(93) CWP No. 25124 of 2016 (O&M)
Jagnandan Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(94) CWP No. 2778 of 2017 (O&M)
Aat Ram ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(95) CWP No. 2779 of 2017 (O&M)
Charan Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(96) CWP No. 2786 of 2017 (O&M)
Kamaljeet Singh ...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others

...Respondent(s)

(97) CWP No. 2791 of 2017 (O&M)

Lal Chand

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(98) CWP No. 2802 of 2017 (O&M)

Jagdish Raj

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(99) CWP No. 2837 of 2017 (O&M)

Shiv Charan

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(100) CWP No. 2841 of 2017 (O&M)

Mangat Ram

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(101) CWP No. 25161 of 2016 (O&M)

Ajaib Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(102)

CWP No. 25162 of 2016 (O&M)

Jagdish Rai

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(103)

CWP No. 25163 of 2016 (O&M)

Amar Nath

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(104)

CWP No. 25164 of 2016 (O&M)

Seeta Rani

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(105)

CWP No. 25165 of 2016 (O&M)

Siri Nath

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(106)

CWP No. 25166 of 2016 (O&M)

Nirbhai Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(107)

CWP No. 25167 of 2016 (O&M)

Harpinder Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(108)

CWP No. 25168 of 2016 (O&M)

Harjit Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(109)

CWP No. 25169 of 2016 (O&M)

Rattan Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(110)

CWP No. 25170 of 2016 (O&M)

Jeet Kaur

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(111)

CWP No. 25171 of 2016 (O&M)

Joginder Singh
...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(112) CWP No. 25172 of 2016 (O&M)

Fauja Singh
...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(113) CWP No. 25173 of 2016 (O&M)

Sukhdev Singh
...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(114) CWP No. 18507 of 2009 (O&M)

Santokh Singh
...Petitioner(s)
Versus
PSEB and others
...Respondent(s)

(115) CWP No. 18941 of 2013 (O&M)

Ramesh Chander
...Petitioner(s)
Versus
Punjab State Power Corporation Ltd. and others
...Respondent(s)

(116)

CWP No. 2684 of 2017 (O&M)

Amarjeet Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

(117)

CWP No. 2707 of 2017 (O&M)

Basir Singh

...Petitioner(s)

Versus

Punjab State Power Corporation Ltd. and others

...Respondent(s)

DATE OF DECISION:-27.03.2018

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present:- Mr. Brijesh Nandan, Advocate for the petitioner(s)
in CWP Nos.17100, 17101, 17102, 17103, 17104, 17105,
17106, 17107 of 2016, 17177, 17243, 17244, 18448, 18487,
22813, 22814, 22845, 23045, 20980, 20992, 20993, 21007,
21009, 23363, 21317, 21318, 21447, 21147, 21159, 21162,
21174, 21181, 21258, 22709, 22774 and 22780 of 2016.

Mr. P.K. Goklaney, Advocate for the petitioner(s)
in CWP Nos.19954, 19955, 19956, 19957, 19958, 19959,
18561, 18562, 18563, 18564, 18565, 18566, 18567, 18568,
20307, 20308, 20309, 20310, 20311, 20312, 17964, 17959,
17960, 17961, 17962 and 17963 of 2016; CWP Nos.22133,
22134, 22135, 22136 and 22137 of 2016; CWP-18943-2013;
CWP Nos.25161, 25162, 25163, 25164, 25165, 25166,
25167, 25168, 25169, 25170, 25171, 25172 and 25173 of
2016; CWP No.18941 of 2013.

Mr. H.S. Jakhal, Advocate for the petitioner(s)
in 20356, 20407, 24217, 24245, 24253, 24257, 20557,
20558, 20621, 20631, 25095, 25124 of 2016;
CWP Nos.2778, 2779, 2786, 2791, 2802, 2837, 2841, 2684
and 2707 of 2017.

Ms. Jiwanjot Kaur, Advocate for the petitioner(s)
in CWP Nos.3026 to 3034, 1513, 1545, 1549, 1550 and
1553 of 2017.

None for the petitioner(s) in CWP-18507-2009.

Mr. R.L. Sharma, Advocate for the respondent-PSPCL
in CWP-17100 to 17107, 19955 to 19959, 18561, 18565 to
18568, 20307 to 20310, 20312, 20356, 20407, 17177,
17244, 22813, 20980, 20992, 20993, 21007, 21009, 21317,
21318, 21447, 21147, 21159, 21174, 21181, 21258,
22709, 17963, 24217, 24245, 24253, 24257, 20557, 20558,
20621, 22135, 22136 of 2016, 1545, of 2017.

Mr. G.S. Ghuman, Advocate for the respondent-PSPCL
in CWP-18562, 18563, 22134 of 2016; CWP-3026 to 3033-
2017, CWP-1513 and 1549-2017.

Mr. Vikas Chatrath, Advocate and
Ms. Mandeep Kaur, Advocate for the respondent-PSPCL
in CWP-23363, 19954, 22774, 22780, 23045, 22845, 22814
of 2016; CWP-2778, 2779, 2786, 2791, 2802, 2837, 2841 of
2017.

Mr. Rohan Mittal, Advocate for the respondent-PSPCL
in CWP-21162-2016.

Mr. J.S. Mehndiratta, Advocate for the respondent(s)
in CWP-18507-2009

Mr. Piyush Khanna, Advocate for the respondent-PSPCL
in CWP-17964 and 25169 of 2016.

Mr. Bhupesh Dogra, Advocate for
Mr. Amit Aggarwal, Advocate for the respondent-PSPCL
in CWP-17959, 17962, 18448, 18487 and 20311 of 2016.

Ms. Pratula Sethi, Advocate for the respondent-PSPCL
in CWP-25163, 25164 and 25165 of 2016.

Mr. L.S. Bhullar, Advocate for
Mr. Pankaj Bhardwaj, Advocate for the respondent-PSPCL
in CWP-25170 and 25162 of 2016.

Mr. Vishal Chaudhri, Advocate for the respondent-PSPCL
in CWP-22137-2016.

Ms. Promila Nain, Advocate and
Mr. Surinder Pal, Advocate for the respondent-PSPCL
in CWP-25168-2016.

Mr. Karan Singla, Advocate for the respondent-PSPCL
in CWP-18941 and 18943-2013.

Ms. Navjot Kaur, Advocate for
Mr. Vishal Gupta, Advocate for the respondent-PSPCL
in CWP-18564-2016.

Mr. R.C. Sharma, Advocate;
Mr. HPS Sandhu, Advocate;
for the respondent-Corporation.

Jitendra Chauhan, J. (Oral)

The aforementioned bunch of petitions were heard together as the same are being decided by way of common judgment as these involve common question of law and facts in the matter.

By way of instant writ petitions, under Articles 226/227 of the Constitution of India, the petitioner(s) seek(s) issuance of directions to the respondents to grant the benefit of promotional increment(s) to the petitioner(s), in view of circular dated 23.04.1990 (Annexure P-1) and the judgments passed by this Court, vide Annexure P-8 and P-9 and in view of the office orders dated 11.05.2015 and 12.06.2015 (Annexure P-5 to P-7).

The learned counsel for respondents in CWP-18564-2016 has filed reply in the Court, which is taken on record.

There is no representation on behalf of the respondents in 17243, 17960, 17961, 20631, 22133, 22134 of 2016, CWP-18943-2013, CWP-3034, 1545, 1550, 1553 of 2017, CWP-25095, 25124, 25161, 25166, 25167, 25171 to 25173 of 2016 and CWP-2684 and 2707-2017.

Learned counsel for the petitioner(s) submit that the case(s) of the petitioner(s) are squarely covered by the ratio of law laid down by this Court in CWP-20139-2015 titled as **Chiman Singh Vs. Punjab State Power Corporation and others**, decided on 29.02.2016 (Annexure P-8), whereby, the similarly placed persons were granted the benefit as prayed for in the present writ petition(s).

Learned counsel for the respondent(s) though do not controvert the assertion raised on behalf of the petitioner(s), however, it has been submitted that some of the issues involved in the present petition(s) have not been discussed in Chiman Singh' case (supra). However, there are no elaborations or details of such issues, which have neither been stated before this Court or has come on record.

Heard, learned counsel for the parties and perused the record.

A perusal of the record would reveal that in Chiman Singh's case (supra), the order so passed is being covered by the decision of this Court rendered in LPA-883-2012, decided on 03.07.2012 which has attained finality with dismissal of SLP-20468-2012. Since, the similarly situated persons have been granted the benefit in Chiman Singh's case (supra), therefore, the petitioner(s) cannot be deprived of the relief sought. The arrears shall be restricted up to to 38 months from the date of filing of the petition(s) in view of the ratio of law laid down in **Saroj Kumari Vs. State of Punjab**, 1998(3) SCT 664 wherein it has been observed as under:-

“9. After hearing learned Counsel for the parties on this point we are of the view that in case where a person invokes the jurisdiction of this Court under Article 226 of the Constitution of India for fixation of his pay under relevant rules/instructions or even on the basis of a judgment of a competent Court, the question of delay and laches would not come in as it would be a case of a continuing wrong and every month the person is paid the salary which according to him is not in accordance with the relevant rules and instructions a fresh cause of action would arise every month. Such a case is not a case of one time action like the case of termination or dismissal from service. As observed by the Apex Court in M. R. Gupta's case (supra) that the Court while granting relief regarding the payment of arrears may apply law of limitation. Since a Civil Suit would be maintainable for realizing arrears of three years and two months, the writ Court would be justified in restricting the payment of arrears to three years and two months prior to the filing of the writ petition.

10. We do not agree with the submission of the learned Advocate General, Punjab, that the writ Court should decline the relief to a person who is claiming correct fixation of his pay in accordance with the relevant rules and instructions merely because he has been negligent in approaching the Court. If such a person can file a civil suit for the correct fixation of his pay where he can further claim arrears up to a period of three years and two months prior to the Filing of the civil suit, there is no reason why such relief should be denied by a writ Court. Apart from the above, it may be noticed that in such cases as the present one where only fixation of pay is sought and arrears are claimed, rights of third party do not intervene during the period the person may not have approached the Court. The correct fixation of pay and the payment of arrears do not affect third party's right. This was also so observed by the Division Bench in Rattan Singh's case which has been quoted above, on the basis of which the argument was raised by the learned

Advocate General Punjab.

11. For the foregoing reasons we are of the view that in cases where only fixation of pay according the relevant rules/instructions or a judgment is prayed for, the writ petition cannot be dismissed at the threshold on the ground of delay and laches but the payment of arrears can be restricted to a reasonable period. Three years and two months would be considered a reasonable period as that is the period for which a person can ask for the payment of arrears before a Civil Court.”

Accordingly, the writ petition(s) are allowed in terms of Chiman Singh's case (supra). The respondents are directed to treat the petitioner(s) at par with the petitioner(s) in Chiman Singh's case and consider the claim of the petitioner(s) in the light of the said case and pass the consequential order within a period of three months from the date of receipt of a certified copy of this order.

27.03.2018

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No