

CWP No.11885 of 2018
DECIDED ON: MAY 11, 2018

JASBIR SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORP. AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gagneshwar Walia, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 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 23 years of promotional increment(s) in view of circular dated 23.04.1990 (P-1) and especially in view of judgments passed by this Court in CWP No. 16737 of 2011, titled as *Om Parkash Dua vs. Punjab State Electricity Board & others;* decided on 14.12.2015 (P-6), CWP No. 10994 of 2016, titled as *Pritpal Singh vs. Punjab State Power Corporation Ltd;* decided on 20.12.2016 (P-8) and also in view of letter dated 11.05.2015 (P-9) whereby, the benefit of 23 years promotional increment has already been granted to the similarly situated employees.

2. At the very outset of the arguments, learned counsel for the petitioner submits petitioner feels satisfied in case direction is issued to respondent(s) to decide legal notice dated 02.02.2018 (Annexure P-12), within a stipulated period.

3. Instant petition is disposed of with a direction to respondent No.1- Chairman-cum-Managing Director, Punjab State Power Corporation Ltd, The Mall, Patiala to look into the grievances unfolded by the petitioner in legal notice dated 02.02.2018 (Annexure P-12) and to decide the same as per circular dated 23.04.1990 (Annexure P-1) and especially in view of judgments passed by this Court in CWP No. 16737 of 2011, titled as **Om Parkash Dua vs. Punjab State Electricity Board & others;** decided on 14.12.2015 (P-6), CWP No. 10994 of 2016, titled as **Pritpal Singh vs. Punjab State Power Corporation Ltd;** decided on 20.12.2016 (P-8) as well as in view of letter dated 11.05.2015 (P-9), within a period of three months from the date of receipt of certified copy of this order. However, it is made clear that the claim of petitioner shall stand restricted to 38 months (after the expiry of three months period from the date of retirement of the petitioner) in view law laid down by Hon'ble Apex Court in the case of **Saroj Kumari vs. State of Punjab and others; 1998 (3) SCT 664**, as there is inordinate delay on the part of the petitioner in approaching the Court.

4. However, if the petitioner still feels aggrieved against the order passed by the concerned authority, he shall be at liberty to have recourse to the other remedies as well as to approach this Court.

May 11, 2018
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(JASPAL SINGH)
JUDGE

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