

**CWP No.11888 of 2018
DECIDED ON: MAY 11, 2018**

GURMEET SINGH & ANR

.....PETITIONERS

VERSUS

PSPCL & ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sonia G. Singh, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature of mandamus directing the respondents to grant 23 years promotional increment benefit as per Finance Circular No.17/90 dated April 23, 1990 (P-2) as well as Finance Circular No. 392, dated July 28, 2000 (P-3) with further prayer that the pension/pay of the petitioner be re-fixed after grant of 23 years promotion increment.

2. At the very outset of the arguments, learned counsel for the petitioners submits that though legal notice dated 20.01.2018 and 24.01.2018 (P-7 Colly) was duly served upon the respondents but till date no conscious decision has been taken. He further submits that petitioners feel 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 petitioners in their legal notice dated 20.01.2018 and 24.01.2018 (P-7 Colly) and to take a conscious decision in accordance with law that too, by passing a speaking order in view of the aforesaid circulars dated April 23, 1990 and July 28, 2000 (P-2 and P-3), within a period of three months from the date of receipt of a certified copy of this order. However, it is made clear that the claim of petitioner No.1 shall stand restricted to 38 months 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 he stood retired on attaining the age of superannuation on 31.12.2003.

5. However, if the petitioners still feel aggrieved of the order passed by the concerned authority, they shall be at liberty to have recourse to other remedies available to them under law including to approach this Court.

May 11, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>