

CWP No. 12886 of 2018

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

**CWP No. 12886 of 2018
DECIDED ON: MAY 21, 2018**

SARWAN SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION LTD. & ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

JASPAL SINGH, J (ORAL)

By virtue of instant civil writ petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ particularly in the nature of Mandamus directing the respondents to grant him the benefit of 23 years promotional increment(s) in view of Circular dated 23.04.1990 (P-1) amended from time to time, with consequential re-fixation of pay and retiral benefits, pension and also to release the arrears of revised pay and retiral benefits, pension along-with interest @ 18% p.a. from the date when it became due till its realization.

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2. The contention of learned counsel for the petitioner is that petitioner joined the respondent-Corporation as ALM on 24.05.1980. He was promoted to the post of SSA on 04.12.2001 and LM on 15.11.2013. He stood retired on attaining the age of superannuation on 31.07.2014. Aggrieved against the non-disbursal of 23 years promotional increment(s), petitioner served a legal notice upon the respondents on 14.03.2018 (P-4) but till date no conscious decision has been taken. He further submits that petitioner feels 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 petitioner in legal notice dated 14.03.2018 (Annexure P-4) and to decide the same in view of circular dated 23.04.1990 (Annexure P-1) amended from time to time, within a period of four months from the date of receipt of certified copy of this order. However, relief shall stand restricted to 38 months in view of Full Bench judgment of this Court in *Saroj Kumari v. State of Punjab and others*", 1998(3) SCT 664, as there is inordinate delay on the part of the petitioner to approach this Court.

4. However, if the petitioner still feels aggrieved against any of the order(s) passed by the concerned authority, he shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

May 21, 2018

Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No