

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.141

Civil Writ Petition No.13851 of 2018
DECIDED ON: May 29, 2018

Bhola Singh

...Petitioner

VERSUS

**Punjab State Power Corporation Limited
/PSPCL and another**

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Kanwaljeet Singh, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Petitioner-Bhola Singh, preferred instant civil writ petition, under Articles 226 of the Constitution of India, seeking issuance of a writ particularly in the nature of Mandamus directing the respondents to grant him the benefit of 23 years advance promotional increments w.e.f 23.06.2009 as per the principal policy under Finance Circulars 17/1990 dated 23.04.1990 amended from time to time & Classificatory Circular/Letter dated 26.02.2007 issued by Government of Punjab to all heads of the Departments, with consequential re-fixation of pay and retrial benefits and to release to the petitioner the arrears of revised pay and retrial benefits along with interest @12 p.a.

2. The contention of learned counsel for the petitioner is that the petitioner has joined respondent department as A.L.M. on 23.06.1986 and

he became entitled for the release of benefit of 23 years promotional increment w.e.f 23.06.2009 but no such benefit was 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 and CWP No. 10994 of 2016 (*Pritpal Singh Vs. Punjab State Power Corporation Ltd. & anr.*) decided on 20.12.2016. The petitioner stood retired on 31.12.2013 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 27.04.2018 (P-6), but till date no response has been received. Learned counsel further submits that the petitioner feels satisfied in case a direction is given to respondents, to decide the aforesaid legal notice (P-6), within a stipulated period.

3. Without expressing any opinion on the 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 respondents to look into the grievances unfolded by the petitioner in legal notice dated 27.04.2018 (P-6) 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 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.

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 the other remedies available under law as well as to approach this Court.

May 29, 2018
neeraj

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No