

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No.13879 of 2018
DECIDED ON: June 01, 2018

SADIQ MOHMAD

..PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION LIMITED AND
OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Pawan Kumar Goklaney, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ particularly in the nature of Mandamus directing the respondents to grant him the benefit of promotional increment(s), in view of instructions issued by the respondent-department as well as in view of the 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 by which the same benefit has already been granted to the similarly situated employees and further to grant the interest @ 12% per annum.

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2. At the very outset, learned counsel for the petitioner contends that though a legal notice dated 23.04.2018 (P-5) was moved to the respondents, but till date no response has been received. Learned counsel further submits that petitioner feels satisfied in case a direction is given to respondent No.2, to decide the aforesaid legal notice (P-5), within a stipulated period.

3. Without expressing any opinion on 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 respondent No.2 to look into the grievances unfolded by the petitioner in legal notice dated 23.04.2018 (P-5) and 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 instructions as well as the judgments referred to above in para 1 of this order. In case, competent authorities come to the conclusion that petitioner is entitled to the relief(s) claimed, it shall stand restricted to 38 months in view of Full Bench judgment of this Court in case ***“Saroj Kumari vs. State of Punjab & ors., 1998 (3) SCT 664”***. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to approach this Court.

June 01, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**