

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

Sr. No.115

Civil Writ Petition No.16541 of 2018
DECIDED ON: July 12, 2018

KARAMJIT SINGH

..PETITIONER

VERSUS

**PUNJAB STATE POWER CORPORATION LIMITED AND
OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Madhur Goyal, 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 issuance of a writ in the nature of Mandamus directing the respondent No.4 to consider his claim and giving promotional benefits to him for the purpose of promotion from Lower Division Clerk to Upper Division Clerk as co-employees even junior to him had already granted the same benefit WITH FURTHER direction to decide his representation dated 20.07.2017 (P-3) within some stipulated period.

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2. The contention of learned counsel for the petitioner is that previously petitioner was punished and three annual increments were stopped without future effect and also ordered to effect recovery of Rs.3,88,516/- by the respondent No.3 vide order No.119 dated 26.03.2010. However, an appeal against the said order dated 26.03.2010 was also dismissed by the Appellate Authority i.e. respondent No.2 vide order No.730 dated 17.10.2011. Aggrieved against the aforesaid orders, petitioner approached the Civil Court by way of Suit No.595 dated 19.11.2012 seeking declaration that the aforesaid orders are unconstitutional, discriminatory, illegal, null & void and against the principles of natural justice. Accordingly, the suit preferred by the petitioner was decreed and he was also held entitled for the refund of amount of Rs.3,88,516/- as well as arrears of increments etc. After the judgment and decree dated 08.09.2015, petitioner also approached the respondents by way of a representation dated 20.07.2017 (P-3) seeking promotion and other benefits but despite the fact that a period of approximately one year is going to elapse neither any decision has been taken nor relief has been granted to the petitioner, which necessitated the filing of instant petition.

3. At this juncture, he feels satisfied in case a direction is issued to respondents to decide the aforesaid representation dated 20.07.2017 (P-3), within some specified period.

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.1 at his own level to get the matter finally disposed of or by any other officer, who is any sub-ordinate officer competent, to deal with and take a final decision,

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within a period of three months from the date of receipt of a certified copy of this order.

5. 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 remedies available under law as well as to approach this Court.

Juy 12, 2018
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No