

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

Sr. No.128

Civil Writ Petition No.18013 of 2018
DECIDED ON: July 24, 2018

SUBASH CHAND

..PETITIONER

VERSUS

**PUNJAB STATE POWER CORPORATIN LIMITED (PSPCL) AND
OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Jiwanjot Kaur Nagi, 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 in the nature of Mandamus directing the respondents to grant him the benefit of promotional increment(s), in view of circular dated 23.04.1990 (P-1) and especially, in view of the judgments passed by this Court in CWP No.10808 of 2007 (P-6), CWP No.20139 of 2015 (P-8), CWP No.6786 of 2016 (P-9) and CWP No.7538 of 2014 as well as in view of the office orders dated 11.05.2015 and 12.06.2015 passed by the respondent-Corporation, vide which the same benefit has already been granted to the similarly situated employees, along with interest @ 12% per annum.

2. The contention of learned counsel for the petitioner is that the petitioner has joined respondent-department as LDC on 17.02.1965 and he became entitled for the release of benefit of 23 years promotional increment but no such benefit was granted to him till date though the similar relief has

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already been granted to the other employees of the State of Punjab. The petitioner stood retired on 30.06.2001 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 a legal notice upon the respondents on 12.04.2017 (P-4), 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-4), 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 respondents to look into the grievances unfolded by the petitioner in legal notice dated 12.04.2017 (P-4) 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*". In case of non compliance of this order, petitioner shall be at liberty to approach this Court.

July 24, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**