

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

Sr. No.121

Civil Writ Petition No.20471 of 2018
DECIDED ON: August 17, 2018

HANS RAJ AND OTHERS

..PETITIONERS

VERSUS

**PUNJAB STATE POWER CORPORATION LIMITED (PSPCL) AND
ANOTHER**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: None for the petitioners.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature of Mandamus directing the respondents to grant 23 years promotional increment benefit as per Finance Circular No.17/90 dated 23.04.1990 (P-2) and Finance Circular No.392 dated 28.07.2000 (P-3) and their pay/pension refixed after grant of 23 years promotional increment.

2. File perused.

3. A close scrutiny of the file transpires that for claiming the relief sought through the instant petition, petitioners have already served legal notice dated 12.03.2018 (P-7) upon the respondents and as per averments made in the petition, neither respondents have responded to the aforesaid legal notice (P-7) nor taken any conscious decision. So in the aforesaid

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facts and circumstances, this Court is of the considered view that instant petition can be conveniently disposed of by giving a direction to the respondents to take a conscious decision within some stipulated period.

4. Accordingly, without expressing anything on merits but considering the inaction on the part of the respondents, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioners in the legal notice dated 12.03.2018 (P-7) and to take a conscious decision by passing a speaking order in terms of Finance Circular No.17/90 dated 23.04.1990 (P-2) and Finance Circular No.392 dated 28.07.2000 (P-3), within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities come to the conclusion that petitioners are 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”* as inordinate delay on the part of the petitioners. In case of passing an adverse order or rejection of this claim putforth by the petitioners, they shall be at liberty to approach this Court.

August 17, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**