

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.2082 OF 2018
DECIDED ON: FEBRUARY 01, 2018

SUKHDEV SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION
LTD. AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Harpinder Kaur Sandhu, Advocate,
for the petitioner.

JASPAL SINGH, J

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus, directing the respondents to grant the benefit of promotional increment(s) in view of circular dated 23.04.1990 (P-1), judgments passed by this Court in CWP No. 10808 of 2007 (P-9) and CWP No. 7538 of 2010 (P-10) as well as in view of office orders dated 11.05.2015 and 12.06.2015 (P-13 to P-15) passed by respondent-corporation by which the benefit of 23 years promotional increment has already been granted to the similar situated employees along with interest @ 18%.

2. At the very outset of the arguments, learned counsel for the petitioners submits that though legal notice dated 25.06.2016 (Annexure P-4) was duly served upon the respondents but till date no conscious decision has

been taken. He further submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide aforesaid legal notice, within a stipulated period

3. Instant petition is disposed of with a direction to respondent(s) to look into the grievances unfolded by the petitioner in legal notice dated 25.06.2016 (Annexure P-4) and to decide the same in view of circular dated 23.04.1990 (Annexure P-1) as well as in the light of various judgments passed by this Court in CWP No.10808 of 2007 (P-9), CWP No. 7538 of 2014 (P-10) and in view of office orders dated 11.05.2015 and 12.06.2015 (P-13 to P-15), within a period of four months from the date of receipt of certified copy of this order. However, relief shall stand restricted to 38 months in view of Full Bench judgment of this Court in *“Saroj Kumari v.State of Punjab and others”*, **1998(3) SCT 664**.

4. The claim with regard to interest on delayed payment shall also be considered in view of the observations made by Full Bench of this Court in case captioned as *“R.S. Randhawa v. State of Punjab”*, **1997 (3) RSJ 318** as well as Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

5. However, if the petitioner still feels aggrieved against any of the order(s) passed by the concerned authority, he shall be at liberty to approach this Court.

FEBRUARY 01, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***
Whether reportable ***Yes/No***