

CWP No. 21349 of 2018

DECIDED ON: AUGUST 27, 2018

MALKIAT SINGH & ORS.

.....PETITIONERS

VERSUS

PUNJAB STATE POWER CORPORATION LIMITED(PSPCL) & ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sonia G. Singh, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant 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 them 23 years promotional increment benefits as per Finance Circular No.17/90 dated April 23, 1990 (P-2) as well as Finance Circular No. 392, dated July 28, 2000 (P-3) with further prayer that their pension/pay be re-fixed after granting them 23 years promotional increments.

2. At the very outset of the arguments, learned counsel for the petitioners submit that though legal notice dated July 03, 2018 (P-7) was duly served upon the respondents but till date no conscious decision has been taken on the same. She further submits that petitioners feel 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 petitioners in their legal notice dated July 03, 2018 (P-7) and to take a conscious decision that too by passing a speaking order in view of the aforesaid circulars dated April 23, 1990 (P-2) and July 28, 2000 (P-3) , within a period of three months from the date of receipt of a certified copy of this order.

4. Here, it would be pertinent to mention that there is an inordinate delay on the part of petitioners No.1 and 5 in approaching the Court, as such there claim shall be restricted to 38 months prior to the filing of instant petition in view of law laid down by Hon'ble Apex Court in the case of “*Saroj Kumari vs. State of Punjab and others*”, 1998 (3) SCT 664.

5. However, if the petitioners still feel aggrieved of the order passed by the concerned authority, they shall be at liberty to have recourse to other remedies available under the law including to approach this Court.

AUGUST 27, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No