

**CWP No. 21410 of 2018
DECIDED ON: AUGUST 27, 2018**

S. MANJIT SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION LIMITED AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. H.S. Jakhal, Advocate
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ particularly in the nature of Mandamus directing the respondents to grant him the benefit of 23 years promotional increment(s), in view of Circular No.17/1990 dated 23.04.1990 (Annexure P1) and in view of the judgments of this Hon'ble Court rendered in CWP No. 10808 of 2007 (Annexure P-9) and CWP No. 7538 of 2014 (Annexure P-10), as well as in view of office orders dated 11.05.2015 and 12.06.2015 (P-13 to P-15), with consequential benefits along-with arrears as well as interest @18% per annum.

2. The contention of learned counsel for the petitioner is that the petitioner has joined respondent-department as LDC on 17.05.1971 and retired from service on 31.10.2009, thus, he became entitled for the release of benefit of 23 years promotional increment but no such benefit was granted to him till date. The petitioner being aggrieved of the non-disbursal of the benefits of 23 years promotional increment was constrained to serve legal notice upon the respondents on 05.07.2018 (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 respondent No.2, 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 respondent No.2 to look into the grievances unfolded by the petitioner in legal notice dated 05.07.2018 (P-4) and to 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 Circular Nos. 17/90, dated 23.04.1990 (P-1), as well as the judgments referred to above in para 1 of this order and also in view of office orders dated 11.05.2015 and 12.06.2015 (P-13 to P-15). In case, competent authority comes to the conclusion that petitioner is entitled to the relief(s) claimed, the same be released to him within a period of next 45 days.

4. Since there is an inordinate delay on the part of the petitioner in approaching the Court, the claim shall stand 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 petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to other remedies available to him under law including to approach this Court.

AUGUST 27, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>