

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 29739 of 2018
Date of Decision : 26.11.2018

Joginder Singh

...Petitioner

Versus

The Punjab State Power Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. J.S. Jaidka, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

The petitioner has filed the present writ petition claiming the scale of the post of Assistant Engineer from 08.05.1998 i.e. the date he was promoted on the said post.

As per the averment made in the present writ petition, the petitioner has stated that the scale to the said post was denied on the ground that the petitioner has not passed the departmental test, which was mandatory for seeking promotion as Asstt. Engineer.

Learned counsel for the petitioner states that now the petitioner has come to know that for the employees, who were above the age of 54 years, passing of the said departmental examination was relaxed. In this regard, the petitioner has attached Annexure P-2 to support his claim. Learned counsel for the petitioner very fairly states that there is a delay in approaching the Court but as the same causing a recurring loss, he can be

granted the benefit notionally without arrears. He further states that in respect of the claim so made, the petitioner has made a representation dated 30.10.2017 (Annexure P-4), which is still pending and the petitioner will be satisfied in case a time bound direction is given to the respondents to decide the same.

Without going into the merits of the case and without expressing any opinion on the claim made by the petitioner in his representation dated 30.10.2017 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order in accordance with law by deciding representation dated 30.10.2017 (Annexure P-4) within a period of three months from the date of receipt of certified copy of this order.

In case the respondents find any merit in the claim, then the petitioner will only be given the benefit notionally without any arrears.

The writ petition stands disposed of accordingly.

November 26, 2018
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(HARSIMRAN SINGH SETHI)
JUDGE

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