

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP NO. 3825 OF 2018
DECIDED ON: FEBRUARY 19, 2018

GURCHARAN SINGH

....PETITIONER...

VERSUS

PUNJAB STATE POWER CORP. LTD.
AND ORS

....RESPONDENTS...

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Brijesh Nandan, Advocate
for the petitioner.

JASPAL SINGH, J.

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, the petitioner has sought issuance of a writ in the nature of mandamus, directing the respondents to grant the benefit of promotional increment(s), in view of circular dated 23.04.1990 (Annexure P-1), especially in view of judgments passed by this Court in CWP No. 20139 of 2015 (Annexure P-8), CWP No. 10689 of 2016 (Annexure P-9) and CWP No. 27468 of 2017 (Annexure P-11) as well as in view of office orders (Annexure P-5 to P-7) passed by the respondent-corporation by which benefit of 23 years promotional increment has already been granted to the similar situated employees.

2. At the very outset of the arguments, learned counsel for the petitioner submits that though legal notice dated 18.09.2017 (Annexure P-10) 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 the aforesaid legal notice, within a stipulated period.

3. Instant petition is disposed of with the direction to the respondent(s) to look into the grievances unfolded by the petitioner in legal notice dated 18.09.2017 (Annexure P-10) and pass a speaking order in the light of circular dated 23.04.1990 (P-1) and judgements passed in CWP No.20139 of 2015 (Annexure P-8), CWP No. 10689 of 2016 (P-9), CWP No. 27468 of 2017 (Annexure P-11) as well as in view of office orders (Annexures P-5 to P-7), within a period of three months, from the date of receipt of certified copy of this order.

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 the order passed by the concerned authority, he shall be at liberty to have recourse to the other remedies available to him as well as to approach this Court.

FEBRUARY 19, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***