

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.115

Civil Writ Petition No.4012 of 2018
DECIDED ON: February 20, 2018

HARBANS LAL AND OTHERS

..PETITIONERS

VERSUS

**THE SECRETARY, PUNJAB STATE POWER CORPORATION
LIMITED AND OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ravinder Arora, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ, order or direction especially in the nature of Mandamus directing the respondents to grant them the benefit of promotional increment(s), in view of circular dated 23.04.1990 along with interest @ 18% per annum.

2. The contention of learned counsel for the petitioners is that petitioners have joined respondent-department on various dates as regular employee and they became entitled for the release of benefit of 23 years promotional increment but no such benefit was granted to them till date

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though the similar relief has already been granted to the other employees of the State of Punjab. The petitioners stood retired on different dates on attaining the age of superannuation. The petitioners being aggrieved of the non-disbursal of the benefits of 23 years promotional increment were constrained to serve a legal notice upon the respondents on December 05, 2017 (P-3), but till date no conscious decision has been taken so far. Learned counsel further submits that the petitioners feel satisfied in case a direction is given to respondent No.1, to decide the aforesaid legal notice, within some specified 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 petitioners, instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioners in legal notice December 05, 2017 (P-3) and decide the same particularly in the light of the judgments (P-4 & P-5), within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities come to the conclusion that petitioners are entitled to the relief(s) claimed, it 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. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case ***A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*** as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as ***Charan Dass vs. State of Punjab & Ors.*** decided on July 11, 2017 and Instructions No.1/15/90IFPIII/4226 dated 10.05.1990 issued by

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the Government of Punjab. In case, non compliance of this order, petitioners shall be at liberty to have recourse to other remedies available under the law as well as to approach this Court.

February 20, 2018
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No