

AT CHANDIGARH

CWP No. 5219 of 2018

DECIDED ON: MARCH 08, 2018

SATPAL SINGH

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORPORATION LTD AND ORS

.....RESPONDENTS.

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Harpinder Sandhu, Advocate
for the petitioner.

JASPAL SINGH, J.(Oral)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to grant him the benefit of promotional increment(s), in view of circular dated 23.04.1990 (Annexure P1) and especially, in view of the judgments passed by this Court in CWP No. 10808 of 2007 (P-10) and CWP No. 7538 of 2011 (P-11) as well as in view of the office orders dated 12.06.2015 (Annexures P-14 to P-15) vide which the same benefit has already been granted to the similarly situated employees as well as to release all the consequential benefits along with interest @ 18% p.a.

2. The contention of learned counsel for the petitioner is that the petitioner has joined respondent-department as ALM on 30.01.1981 and he became entitled for the release of benefit of 23 years promotional increment but no such benefit was granted to him till date though the similar relief has already been granted to the other employees of the State of Punjab. The petitioner stood retired on 30.09.2017 on attaining the age of superannuation. The petitioner being aggrieved of the non-disbursal of the benefits of 23 years promotional increment was constrained to serve legal notice dated 22.02.2018 (P-4) upon the respondents, but till date no response has been received. Learned counsel further submits that the petitioner feels satisfied in case a direction is given to respondents, to decide the legal notice, 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 (Annexure P-4) and to take a conscious decision within a period of four months from the date of receipt of a certified copy of this order, particularly in the light of the instructions as well as the judgments referred to above in para 1 of this order. In case, competent authorities come 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. Factum of interest in view of judgment passed 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,

be also considered on delayed payment(s).

4. However, in case, petitioner still feels aggrieved of the order passed by concerned authority, he shall be at liberty to approach this Court.

MARCH 08, 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>