

CWP No.6233 of 2018

DECIDED ON: MARCH 14, 2018

MANOHAR LAL DABAS

.....PETITIONER

VERSUS

UHBVNL AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. K.L. Dhingra, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to grant him ACP scale of AFM as he did not get any financial upgradation or promotion for more than 11 years i.e. w.e.f. 26.05.1986 (AFM) to 27.10.1997 with consequential benefits in view of judgment passed by Hon'ble Division Bench of this Court in CWP No. 3528 of 2005, titled as **Ramesh Dahiya vs. Uttar Haryana Bijli Vitran Nigam Ltd**; decided on April 04, 2008 (Annexure P-1) with further prayer to grant additional increments on completion of 8/18 years of regular satisfactory service.

2. The contention of learned counsel for the petitioner is that the case of the petitioner is squarely covered under the guidelines passed by Hon'ble Division Bench of this Court in CWP No. 3528 of 2005, titled as **Ramesh Dahiya vs. Uttar Haryana Bijli Vitran Nigam Ltd**; decided on April 04, 2008 (Annexure P-1). He further submits that petitioner submitted various representations including representation dated April 18, 2017 (P-6) for the grant

of ACP scale of AFM and also to grant him additional increments on completion of 8/18 years of service. Despite the fact that a period of more than 10 months has elapsed, no conscious decision has been taken by the authorities so far. Petitioner constrained to serve legal notice dated January 10, 2018 (P-7) upon the respondents, which also did not fetch any reply. He further submits that he feels satisfied in case a direction is issued to respondents to consider and decide the legal notice (P-7) within a time bound manner.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioner in the legal notice dated January 10, 2018 (P-7) in accordance with law, rules and regulations particularly in view of judgment passed by Hon'ble Division Bench of this Court in CWP No. 3528 of 2005, titled as **Ramesh Dahiya vs. Uttar Haryana Bijli Vitran Nigam Ltd;** decided on April 04, 2008 (Annexure P-1) within a period of three months from the date of receipt of certified copy of this order.

4. In case petitioner still feels aggrieved by any order of the afore-said authority, he shall be at liberty to approach this Court.

MARCH 14, 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>