

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 32911 of 2018 (O&M)

Date of decision : 17.12.2018

Jarnail Singh and others

.....Petitioners

Versus

Punjab State Power Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. G.P. Vashisht, Advocate
for the petitioners.

ARUN MONGA, J(ORAL)

The present Writ petition has been filed for issuance of writ in the nature of mandamus directing the respondents to grant the benefit of promotional increments from the due date to the petitioners on completion of 23 years of service.

2. Learned counsel for the petitioner contends that as per the Finance Circulars No.17190 dated 23.04.1990 and Circular No.392 dated 28.07.2000 (Annexure P-2 and P-3) respectively, the erstwhile Punjab State Electricity Board decided to grant benefit of promotional increments to an employee on completion of 23 years of service. Notwithstanding, the petitioners have not been granted the said benefit of increments. As per Annexure P-1 the dates of joining the service of petitioners No.1 to 10 vary between 03.04.1979 to as late as 18.08.1992 and all of them are currently serving with respondent no.2.

3. Learned counsel for the petitioner has placed great vehemence on judgment rendered by this Court in CWP No.16737 of 2011 in respect of similarly situated employees of respondent No.2 who had approached this Court seeking the same benefits on the basis of the same very circulars on completion of 23 years of

service. This Court allowed their writ petitions but in view of the delay in approaching the Court by the petitioners restricted the grant of arrears to a period of 38 months prior the date of filing of the respective representations to the respondents.

Learned counsel for the petitioners contends that pursuant to the said judgment dated 14.12.2015 rendered by this court the petitioner were hoping that their case shall also be dealt with on parity with the petitioners in the CWP No.16737 of 2011 *ibid* .

4. Having waited for reasonable period when they were denied the benefit, the petitioners submitted their representations dated 14.10.2018 to the respondents but the same has not been adverted till date. Necessitating the filing of the present writ petition.

5. In view of the similarity projected by learned counsel for the petitioner the present writ petition can be disposed of without notice and any further proceedings.

6. The respondent No.2 is directed to pass a speaking order on the representations Annexure P-6 colly dated 14.10.2018 whereby the petitioners are seeking grant of benefit of the increments on completion of 23 years of service. Needful be done within a period of two months. It is however made clear that the respondents are at liberty to deal with the petitioners' cases in accordance with law and also restricting their claim to a period of 38 months prior to the filing of this writ petition. It is further directed that while passing speaking order the contention of the learned counsel for the petitioners as noted above shall be borne in mind.

Disposed of accordingly.

(ARUN MONGA)
JUDGE

17.12.2018

dkp

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No