

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6991-2019

Date of decision: - 14.03.2019

Joginder Singh and others

...Petitioners

Versus

PSPCL and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Gagneshwar Walia, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the challenge is to the orders dated 31.08.2018; 01.11.2018; 30.08.2018 and 29.11.2018 (Annexure P-8 {Colly.}), by which the claim of the petitioners has been rejected in the Month of August/November, 2018 for the grant of promotional increment on completion of 23 years of service.

Counsel for the petitioners states that though the claim of the petitioners was rejected on 31.08.2018, but the respondents have not taken into consideration the clarifications, which have been issued by the respondents themselves on 28.08.2018 and 01.10.2018.

Counsel for the petitioners further states that as per the clarifications given by the respondents, the case of the petitioners is squarely covered and the objection so raised while rejecting the case is no longer available to them.

Counsel for the petitioners further states that a bunch of writ petition, wherein also, the prayer was made for the grant of promotional increment on completion of 23 years of service, was disposed by the Co-ordinate Bench by giving the directions to the respondent Corporation to decide the cases in view of the clarifications issued by the department in August/October, 2018. The order passed by the Co-ordinate Bench was in **CWP No. 1013 of 2017** titled as '**Balvir Singh Vs. PSPCL and another**' and other connected cases, decided on 29.11.2018.

Counsel for the petitioners prays that the respondents are bound to consider the case of the petitioners again by ignoring the rejection order passed in the present case in August/November, 2018 attached as Annexure P-8 (Colly.), by passing the appropriate orders, as directed by the Co-ordinate Bench of this Court in **Balvir Singh's case (supra)**, **CWP No. 1013 of 2017**.

Notice of motion.

On the asking of the Court, Mr. Mehardeep Singh, Additional Advocate General, Haryana, accepts notices on behalf of the respondents/PSPCL.

Counsel for the respondent Corporation states that case of the petitioners will be considered afresh in view of the events i.e. resolutions/clarifications passed by the Board in August/October, 2018, which have not been considered while passing the impugned order. Counsel further states that the afresh order will be passed keeping in view the direction given by a Co-ordinate Bench of this Court in **Balvir Singh's case (supra)**, **CWP No. 1013 of 2017** and while passing the

fresh order, the impugned order rejecting the case of the petitioners will be ignored.

Counsel for the parties pray that the present writ petition be also disposed of in terms of the order passed in **Balvir Singh's case** (supra), CWP No. 1013 of 2017.

Keeping in view the prayer made by the parties, the present writ petition is also disposed of in terms of order passed by a Co-ordinate Bench in **Balvir Singh's case** (supra), CWP No. 1013 of 2017.

March 14, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No