

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

CWP-11852-2019

Date of Decision: May 13, 2019

Shamsher Singh

.. Petitioner

Versus

Punjab State Power Corporation Limited and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Saravpreet Gurna, Advocate, for the petitioner.

Mr. Sehaj Bir Singh, Advocate, for the respondents.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance raised by the petitioner is in respect of a letter dated 24.12.2018 (Annexure P-7) written by the Deputy Chief Engineer (Head Quarters) on behalf of Chief Engineer Operation (South) PSPCL Patiala to the Superintending Engineer, Operation Circle, Patiala by which certain observations have been made with regard to the grant of promotional increment after 23 years of service rendered by the petitioner. In the said communication, it was mentioned that employee was drawing a higher pay scale due to which he is not entitled for benefits of promotional increment after 23 years of service.

The copy of the letter dated 24.12.2018 was forwarded to the petitioner by the Superintendent stating that the petitioner is not entitled for the benefit of promotional increment after rendering 23 years of service.

Learned counsel for the petitioner argues that a communication between the Deputy Chief Engineer and Superintending Engineer is being communicated to the petitioner whereas no order as required to be passed in pursuance to the direction given by this Court in CWP No.18672 of 2018

decided on 01.08.2018 has yet been passed.

Learned counsel for the respondents states that the impugned order is only a communication between the two officers and not a decision as required to be passed in pursuance to the direction given by this Court as noticed above. Counsel for the respondents further states that appropriate speaking order will be passed by the competent authority in respect of the claim of the petitioner for the grant of promotional increment after rendering 23 years of service and while passing the said order, the impugned communication as noticed above by this Court, will be ignored and the appropriate speaking order will be passed on the facts and circumstances of the case and also settled principle of law.

Keeping in view the above, no grievance of the petitioner survives and the present writ petition has been rendered infructuous.

It is directed that competent authority will pass appropriate speaking order on the facts and circumstances of this case in respect of the claim raised by petitioner for the grant of promotional increment after rendering 23 years of service by taking into consideration the settled principle of law as directed by this Court while disposing of **CWP No.1013 of 2017 titled as Balvir Singh Vs. PSPCL and another, and other connected cases decided on 29.11.2018.**

The present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

May 13, 2019
harsha

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No