

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-12567-2019 (O&M)
Date of Decision:14.05.2019**

Jagdish Singh

... Petitioner

Versus

PSPCL & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rimple Saini, Advocate for the petitioner.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks a mandamus directing the respondents to count the entire service rendered by the petitioner from September, 1977 onwards and thereafter to release to him the necessary financial benefits.

Counsel for the petitioner has been heard at length.

Apparently, the petitioner had earlier approached this Court by filing CWP-5351-2018 raising identical prayer. Such writ petition was disposed of vide order dated 25.04.2018 (Annexure P-7) with a direction to the Chairman, Punjab State Power Corporation Limited to take a final decision on a representation dated 11.12.2014 that had already been submitted.

Petitioner thereafter filed COCP-2024-2018 asserting non-compliance of the order dated 25.04.2018 passed in CWP-5351-2018.

COCP-2024-2018 was thereafter disposed of on 15.12.2018 in the following terms:

“The present contempt petition was filed for non-compliance of order dated 25.04.2018 vide which a direction

was given to decide the representation dated 11.12.2014 within six weeks with the receipt of the certified copy of the order.

Reply by way of affidavit of Er. Arvinderjit Singh Boparai, Additional Superintending Engineer, Operation Division, PSPCL Gurdaspur has been filed on behalf of the respondent. As per Para No. 4 of the said reply, the petitioner stands promoted as Assistant Lineman on dated 31.03.1994 by counting his Work charge service period from 07.09.1977. After that, counting his service from 31.03.1994 as Assistant Lineman, the petitioner has promoted as Lineman on dated 27.06.2014. The amount due to the petitioner has since been paid. Nothing is pending. The pay of the petitioner has also been re-fixed by the Department and arrear of Rs. 10,02,341/- has been deposited in his account.

In view of the above, the order stands complied with. Nothing survives in the contempt petition.

The same is accordingly dismissed.

Rule issued against the respondent stands discharged.

However, in case, the petitioner is still aggrieved with the said calculation and there is any discrepancy in the payment, he is at liberty to file representation which shall be decided in accordance with law.”

It is the case of the petitioner that the pay of the petitioner has been refixed by the respondent/Board and arrears of Rs.10 lakhs approximately have been released but the same have not been correctly computed and the arrears ought to be Rs.20 lakhs approximately. It is submitted that a representation in this regards has been made but the same is not being considered.

In the considered view of this Court, there would be no requirement of passing any directions with regard to the discrepancy that may have been pointed out by the petitioner as while disposing of COCP-2024-2018, this Court on 15.12.2018 has already issued directions for such representation in relation to discrepancy if any to be decided in accordance with law.

No intervention in the matter is called for.

Disposed of.

14.05.2019

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE