

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11398-2016

Date of decision: - 11.04.2019

Prem Kumar Kapoor and another

...Petitioners

Versus

The Punjab State Power Corporation Limited and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. A.K. Walia, Advocate, for the petitioners.

Mr. Ashutosh Sharma, Advocate, for the respondents.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioners states that after the impugned orders dated 02.05.2008 (P-4) and 28.02.2006 (P-5) were passed, the respondents have amended the eligibility condition for the grant of 23 years promotional increment vide Resolutions dated 21.08.2018 and 01.10.2018. Learned counsel states that in view of the Resolutions stated above, the petitioners are fully eligible as there is no condition of having 3 avenue of promotion so as to become entitled for the grant of promotional increment after 23 years of service. Learned counsel for the petitioners states that the Coordinate Bench has disposed of a bunch of writ petitions bearing CWP No. 1013 of 2017, on 29.11.2018 vide which directions have been issued to the respondent-Corporation to consider the claim of the employees in view of the

Resolutions which the Corporation have passed on 21.08.2018 as well as on 01.10.2018. Learned counsel for the petitioners further states that the present writ petition be also disposed of in terms of the order passed by this Court in CWP No. 1013 of 2017 on 29.11.2018.

Learned counsel for the respondents very fairly states that though the cases of the petitioners were rejected on 02.05.2008 and 28.02.2006 (Annexures P-4 and P-5) respectively, but the same was done prior to the Resolutions on 21.08.2018 and 01.10.2018 passed by the Corporation. Now, in view of these Resolutions amending the eligibility to claim the 23 years promotional increments, the Corporation will consider their cases again ignoring the earlier rejection of the cases of the petitioners as taken on 02.05.2008 and 28.02.2006 (Annexures P-4 and P-5). Learned counsel for the respondents states that he has no objection in case the present writ petition is disposed of in terms of the order passed by this court in CWP No. 1013 of 2017 on 29.11.2018.

In view of the above, as requested by the counsel for the parties, the present writ petition is also disposed of in terms of the order passed by this Court in CWP No.1013 of 2017, on 29.11.2018.

It is made clear that the respondents shall ignore the earlier rejection of the cases of the petitioners while reconsidering their cases for the grant of promotional increment after rendering 23 years of service.

(HARSIMRAN SINGH SETHI)
JUDGE

April 11, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No