

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-16839-2016 (O&M)

Date of Decision:-25.02.2019.

Shiv Kumar and others

.....Petitioners

Versus

Punjab State Power Corporation Limited and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sandeep Bansal, Advocate and
Mr. Anubhav Bansal, Advocate for the petitioners.

ARUN MONGA, J. (Oral)

1.) Learned counsel for the petitioners states that the case of the petitioners is squarely covered by by a Division Bench judgment rendered by this Court in LPA-1396-2011. Learned counsel for the petitioners contends that at the relevant time, petitioners were working in Anandpur and Mukerian Hydel Projects. The administrative control of these projects was later on handed over to Punjab State Electricity Board of which the respondent No.1 i.e. Punjab State Power Corporation Limited is successor-in-interest.

2.) The erstwhile Punjab State Electricity Board passed an order to re-fix the salary of the employees who were earlier working with the hydel projects but rendered surplus. The learned counsel for the petitioners contends that the said order was to the detriment of the employees including

the petitioners herein. He further contends that the order of refixation of the salary of the employees was contrary to the statement made by the learned counsel for the erstwhile Punjab State Electricity Board before the Apex Court that the salary would not be refixed on terms which would be adverse to the employees. Notwithstanding, refixation of the pay of the petitioners was done, which adversely affected their emoluments including the additional pay being drawn by them. Hence, the present writ petition. Recovery was also sought to be effected but it has not been done due to the interim stay granted by this Court. He further contends that vide letter dated 22.06.2012 (Annexure P-6), the case of the petitioners has been recommended by the Deputy Secretary (Law) to be decided in terms of the Division Bench judgment passed by this Court, *ibid*.

3.) I, therefore, direct the respondents to decide the case of the petitioners in the light of decision rendered by this Court in LPA-1396-2011. Let the needful be done within a period of 2 months from the date of receipt of certified copy of this order.

4.) Writ petition is disposed of accordingly.

(ARUN MONGA)
JUDGE

February 25, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.