

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

(120)

CWP-18594-2019

Date of Decision: July 11, 2019

Gurbachan Singh Bath

.. Petitioner

Versus

Punjab State Power Corporation Limited and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Brijesh Nandan, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner argues that the petitioner was entitled for the grant of benefit of 23 years of service keeping in view the decision taken by the respondents vide order dated 23.04.1990 (Annexure P-1).

Learned counsel for the petitioner argues that till 28.03.2002 when petitioner completed 23 years of service, he had not been promoted and therefore, he satisfied all the conditions for the grant of benefit of increment after completion of 23 years of service. Counsel further argues that vide Annexure P-6, a decision has been already taken by the respondents to grant the benefit to employees, who had completed 23 years of regular service before 17.03.2010 and therefore, petitioner is entitled for the grant of increment after completing 23 years of service.

Learned counsel for the petitioner further states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 27.02.2019 (Annexure P-8) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

Keeping in view the advance notice given, Mr. Chetan Goyal, Advocate, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents states that the department has no objection for deciding the legal notice of the petitioner in a time bound manner as being prayed.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 27.02.2019 (Annexure P-8), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 27.02.2019 (Annexure P-8) within a period of three months from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to him within three months thereafter.

July 11, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes
Whether reportable:	No