

In the High Court for the States of Punjab and Haryana at Chandigarh

CWP No. 14956 of 2018
Date of Decision: April 22, 2019

Sikander Singh

... Petitioner

Versus

The Punjab State Power Corporation Limited and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rahul Rana, Advocate,
for Mr. J.S. Jaidka, Advocate,
for the petitioner.

Mr. Parminder Singh-I, Advocate,
for the respondents.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner states that claim of the petitioner was rejected by the respondents vide order dated 13.10.2017 (Annexure P/3) for the grant of promotional increment on completion of 23 years of service, but subsequently, vide Resolutions dated 21.08.2018 and 01.10.2018, the eligibility condition for grant of the said promotional increment has been modified and in view of the modified eligibility condition, the case of the petitioner is squarely covered for the grant of benefit, i.e., promotional increment, after rendering 23 years of service.

Learned counsel for the petitioner further states that the Co-ordinate Bench has disposed of a bunch of writ petitions bearing CWP No. 1013 of 2017 titled “Balvir Singh vs. PSPCL and another”, 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 petitioner further states that ignoring the rejection dated 13.10.2017 (impugned in the present writ petition), the claim of the petitioner is liable to be considered in view of the Resolutions, amending the eligibility condition, dated 21.08.2018 and 01.10.2018, as well as, keeping in view the directions given by this Court in CWP No. 1013 of 2017 on 29.11.2018.

Learned counsel for the respondents very fairly states that the Corporation has no objection to reconsider the case of the petitioner in view of the amended eligibility condition for the grant of 23 years of promotional increment. Learned counsel for the respondents further states that while reconsidering, earlier rejection of the case of the petitioner on 13.10.2017 will be ignored, and a fresh order will be passed by the respondent-Corporation keeping in view the amended eligibility condition for the grant of 23 years of promotional increment.

Learned counsel for the petitioner further states that in view of the statement made by learned counsel for the respondents, present writ petition be disposed of by directing the respondents to pass appropriate orders by reconsidering the case of the petitioner afresh in a time bound manner.

Without going into the merit of the case, as well as, entitlement of the petitioner for the grant of relief as prayed in the present writ petition, i.e., the grant of promotional increment after rendering 23 years of service, direction is issued to the respondent-Corporation to consider the case of the petitioner afresh in view of amended eligibility condition, within a period of

three months from the date of receipt of certified copy of this order.

Present writ petition is disposed of accordingly.

April 22, 2019
vkd

(Harsimran Singh Sethi)
Judge

Whether speaking / reasoned : Yes / No

Whether reportable : Yes / No