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

CWP-15228-2020 (O&M)
Date of decision: 07.12.2020

Subhash Chander

...Petitioner

Versus

Punjab State Power Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. A.P. Singh, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

Mr. Jaipal Sandhu, Advocate for respondent-PSPCL.

ANIL KSHETARPAL, J. (ORAL)

Through this writ petition filed under Article 226/227 of the Constitution of India, the petitioner has prayed for the following substantive reliefs:-

“(ii) to issue an appropriate writ, order or direction especially in the nature of Mandamus directing the respondents to grant the benefit of promotional increment(s) to the petitioner, in view of the circular dated 23.4.1990 (P-1), especially in view of the judgments passed by this Hon'ble Court in CWP No.10808 of 2007 (P-6), CWP No.19234 of 2015 (P-7) and CWP No.20139 of 2015 (P-8), CWP No.6786 of 2016 (P-9) as well as in view of the office orders dated 11.5.2015 and 12.6.2015 passed by the respondent-corporation by which the benefit of 23 years promotional increment has already been granted to the similar situated employees;

(iii) It is further prayed that the petitioner is also entitled for the release of interest @ 12% from the date when it became

due till its realization.”

On 07.10.2020, after noticing the contentions of learned counsel for the parties, the following order was passed:-

*“Mr. Jaipal Sandhu, Advocate who has appeared for respondent-Punjab State Power Corporation Limited submits that the petitioner is not entitled to benefit of 23 years advance promotional increment in terms of policy of the Finance Department dated 28.07.2000. He prays for time to file reply.
Adjourned to 07.12.2020.”*

In the detailed written statement filed, it has been pointed out that the petitioner is not entitled to grant 3rd promotional increment on completion of 23 years of regular service as he does not fulfill the requirements of Clause (iii) of the Finance Circular dated 28.07.2000. It has been pointed out that the petitioner has already been placed on higher scale which is higher than the scale of his next post.

Learned counsel for the petitioner has very fairly admitted that the petitioner does not fulfill the aforesaid condition.

Keeping in view the aforesaid facts, no ground to issue writ, as prayed for, is made out.

Accordingly, the present petition is dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the above-stated order.

07.12.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No