

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

CWP-2176-2021

Date of Decision : 19.02.2021

Sukhbir Singh

...Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam and Others

...Respondents

(through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ravi Verma, Advocate for
Mr. B.K. Bagri, Advocate for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioner argues that though the petitioner has been granted the benefit of promotion as Assistant Foreman from the post of Lineman retrospectively but the pay on account of the said retrospective promotion is not being fixed though, there is no impediment in the same. Learned counsel for the petitioner places reliance upon the letter written by the Executive Engineer, 'OP' Division Manesar, DHBVN, Gurugram dated 07.10.2020 (Annexure P-11), wherein certain instructions have been sought from the Superintending Engineer (HR) with regard to the fixation of the pay of the petitioner keeping in view the retrospective promotion granted to the petitioner. Learned counsel submits that no

instructions have been received from respondent No. 2 so far and the matter is being kept pending without any valid justification, which act of the respondents is causing delay in the fixing of the salary of the petitioner retrospectively and also consequent pensionary benefits including the pension, as the petitioner has already retired from service.

The prayer of the petitioner is for issuance of an appropriate direction to respondent No. 2 to take final decision on the letter dated 07.10.2020 (Annexure P-11) by giving appropriate instructions to respondent No. 3 so that the pay of the petitioner is fixed in the Cadre of Assistant Foreman and the petitioner is paid the consequential benefits required.

Keeping in view the facts and circumstances of this case and without opining anything on the merits, a direction is issued to respondent No. 2 to take appropriate decision on the letter dated 07.10.2020 (Annexure P-11) addressed to respondent No. 2 by respondent No. 3, which has been appended as Annexure P-11, within a period of four weeks from the receipt of copy of this order by passing an appropriate speaking order.

In case, after the passing of the speaking order, the petitioner is found entitled for the relief, the same be also released to him within a period of next four weeks.

Writ petition is disposed of accordingly.

February 19, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No