

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

**LPA-915-2023 (O&M)**

**Date of decision: 30.11.2023**

Punjab State Power Corporation Limited

...Appellant

Vs.

Jivan Kumar Singla and others

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE  
HON'BLE MR. JUSTICE AMAN CHAUDHARY**

**Present: Mr. Bhupinder Banga, Advocate,  
for the appellant.**

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**Ritu Bahri, Acting Chief Justice**

**CM-2345-LPA-2023**

**CM-4775-LPA-2023**

1. For the reasons mentioned in the applications, same are allowed and delay of 101 days in filing of the appeal is condoned.

**LPA-915-2023 (O&M)**

2. The instant appeal, under Clause X of the Letters Patent Appeal, is against the judgment dated 17.02.2023 passed by the learned Single Judge of this Court, whereby petition (CWP-10253-2016) filed by petitioner-respondent No.1 has been allowed and the respondent-corporation (appellant herein) has been directed to consider the case of petitioner for removal of pay anomaly within a period of 08 weeks.

3. Petitioner-respondent No.1 was working as Senior Executive Engineer with the appellant-corporation. The scales of the employees of corporation were revised w.e.f. 01.01.2006. As per petitioner-respondent

Abrol was fixed at Rs.53,420/-. Later on, when the petitioner was promoted as Senior XEN, his salary was fixed at Rs.55,330/- w.e.f. 26.06.2007. However, salary of A.K. Abrol, in the same cadre, was fixed at Rs.58,400/-. Petitioner attained the age of superannuation on 31.01.2015. The petitioner made a representation dated 18.04.2015 seeking removal of anomaly, however the same was rejected vide order dated 29.04.2016. Feeling aggrieved by the said order, petitioner filed writ petition (CWP-10253-2016), which was allowed vide order dated 17.02.2023 passed by the learned Single Judge of this Court.

4. While allowing the petition, reference was made to the judgment passed by this Court in **Hari Krishan Dangwal vs. State of Punjab and others**, CWP-26169-2014 (decided on 07.12.2018). In that case, the employee had retired on 30.04.2010 and he made an application for removal of anomaly of his pay as per circular No.6/13 dated 18.01.2013. But, the said benefit was not given to him. Therafter, he approached this Court by filing a petition, which was allowed by observing that in the said circular, there was no ambiguity to the effect that the petitioner was entitled to seek correction of the anomaly of his pay upto the date of issuance of circular No.06/13 dated 18.01.2013.. Petitioner, in that case, had retired before issuance of the aforesaid circular and his claim was rejected on the basis of old circular No.4/04. Hence, the date for seeking removal of the anomaly cannot be made a ground to deny the benefit to the petitioner.

5. No appeal has been filed against the judgment passed in **Hari Krishan Dangwal's** case (supra).

6. The case of the present petitioner-respondent No.1 is fully covered by the aforesaid judgment. Accordingly, after going through the contents of appeal as well as the impugned judgment, this Court is of the

view that the appellant-corporation has been rightly directed to consider the case of the petitioner-respondent No.1 for removal of pay anomaly and to release all consequential monetary benefits along with interest @8% per annum from. Hence, no ground is made out to interfere in the well reasoned judgment passed by learned Single Judge.

7. Resultantly, finding no merits, present appeal stands dismissed.

(RITU BAHRI)  
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)  
JUDGE

30.11.2023  
ajp

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