

CWP-20657-2017

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2023:PHHC:166576

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

CWP-20657-2017

Date of decision : 02.08.2023

Megh Nath Goyal and others

...Petitioners

Vs.

**Punjab State Power Corporation Ltd.
and another**

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Saurabh Arora, Advocate and
Mr. Samandeep S.Tinna, Advocate for the petitioners.

Mr. Sunpreet Singh, Advocate for
Mr. Sehaj Bir Singh, Advocate
for the respondent-PSPCL.

DEEPAK MANCHANDA, J.(Oral)

Petitioners have filed this writ petition under Article 226/227 for issuance of a writ in the nature of mandamus directing the respondents to grant the benefit of promotional increment(s) to the petitioners in view of the circular dated 23.04.1990 (Annexure P-2). Further, the prayer has been made for directing the respondents to decide the legal notice dated 05.06.2017 (Annexure P-4) by passing a speaking order after giving an opportunity of hearing to the petitioners.

Learned counsel for the petitioners contends that the petitioners are entitled to get the benefit of advance promotional increment after completion of 23 years of their regular service along with all consequential relief and further are fully covered by the circular issued by the PSEB. He

further contends that petitioners also served a legal notice dated 05.06.2017 (Annexure P-4) to the respondents claiming the relief, but no action has been taken by the respondents so far. Therefore, he prays for indulgence of this Court.

Further, learned counsel for the petitioners has invited the attention of the Court to the Annexures P-5 to P-8 to contend that the similar issue has already been dealt by this Court and present case of the petitioners is covered by the same.

Learned counsel representing the respondents while referring to the reply dated 10.01.2023 filed by Deputy Secretary/Establishment, GNDTP, Bathinda, PSPCL submits that a bunch of 198 similar writ petitions wherein legal question for grant of 23 years promotional increment vide Finance Circular dated 23.04.1990 was dealt with by this Hon'ble Court and judgment in the same petitions was passed on 31.05.2022 (Annexure R-1) by a Coordinate Bench in CWP-27130-2019, titled as "Shavinder Singh Vs. PSPCL and others", therefore, present petition can be disposed in the same terms.

I have heard counsel for the parties and have gone through the case file carefully.

This Court in the above mentioned writ petition decided the controversy in question by passing a detailed order. The case of the petitioner is squarely covered by the aforesaid judgments and the operative part of the order dated 31.05.2022 passed in CWP-27130-2019 reads as under:-

"The petitioners are granted time upto 31.08.2022 to raise objections before the respondents-Corporation in respect of any orders, which have been passed by the respondents-Corporation declining them the grant of promotional increment after rendering 23 years of service.

The time limit for filing the objections has been set as the petitioners are in litigation since long and most of them have

*retired from service.
The present writ petitions are hereby disposed of with the direction to the respondents-Corporation that in case, any of the petitioners, raise any grievance, within the time limit specified hereinbefore, with regard to the declining of their claim by the authorities concerned by pointing out certain factual aspect or bringing to the notice of the authorities that they are eligible for the grant of the benefit of promotional increment after 23 years of service, the Corporation, as undertaken, will pass appropriate orders on their representation within a period of three months from the receipt of the same and in case, after passing of the order, the petitioners are found entitled for any benefit, the same be also released to them within a period of four weeks thereafter. The present petitions are disposed of in above terms.”*

In view of the above, admittedly the case of the petitioners is squarely covered by the aforesaid judgment dated 31.05.2022 passed in Sahvinder Singh’s case (supra), the present petition is disposed of in the same terms.

(DEEPAK MANCHANDA)
JUDGE

02.08.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No