

2023:PHHC:095715

123 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CWP-15449-2023
Date of decision: 27.07.2023

ROOP CHAND

...Petitioner

V/s

PSPCL AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Manu K. Bhandari, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

Present petition has been filed under Article 226 of the Constitution of India praying for issuance of a writ in the nature of mandamus directing the respondents No. 1 to 2 to complete the duplicate service book of the petitioner as the original has been statedly lost in the office of respondent No. 2 and further praying for grant of benefit of pay scales as recommended by the 6th Pay Commission.

Learned counsel for the petitioner contends that petitioner was initially appointed as RTM in the Punjab State Power Corporation Ltd. on 09.11.2001 and was subsequently promoted as Sub Station Attendent. Learned counsel further contends that on completion of 9 years of service, the petitioner was granted the time bound promotion vide order dated 31.10.2018 (Annexure P-2, however, without giving any opportunity of hearing or issuing a show cause notice, the said benefit was withdrawn and recovery of an amount of Rs. 1,25,000/- has been effected from the petitioner. Learned counsel submits that despite the adoption of 6th Pay Commission by the Punjab State Power Corporation Ltd. in the month of July 2021, the said benefit was not released to the petitioner. Learned counsel after arguing for some time confines himself to the limited prayer that petitioner has served a Legal Notice dated 03.05.2023

(Annexure P-8) to respondents, which has not been taken into consideration so far and he would be satisfied if the said legal notice is directed to be decided in a time bound manner.

Notice of motion.

Ms. Jarnail Kaur Dhaliwal, Advocate has put in appearance, accepts notice on behalf of respondents and does not object to the prayer made by learned counsel for the petitioner.

In view of the above and with the consent of both the parties the present petition is disposed of with a direction to the respondent No. 3 to decide the legal notice dated 03.05.2023 (Annexure P-8) submitted by the petitioner within a period of 4 weeks from the date of receipt of certified copy of this order.

(DEEPAK MANCHANDA)
JUDGE

27.07.2023

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes
Yes/No