

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-998-2024 (O&M)

Date of decision: 18.01.2024

Kewal Singh

....Petitioner

Versus

Punjab State Power Corporation Ltd. and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Abhishek Khullar, Advocate
and Mr. J.S. Jaidka, Advocate
for the petitioner.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondent/Corporation to grant 23 year promotional scale to the petitioner on the completion of 23 years of regular service on 08.01.2008 along with arrears and interest @ 18% from the time, the same became due till the date of actual payment and further for issuance of directions to the effect that the beneficial circular dated 01.10.2018 (Annexure P-4) not be made only prospectively applicable and thereby defeating its own purpose of being a beneficial circular and thereby causing distinction amongst equals which is in fact ultra-vires the Constitutional guarantee of fundamental rights.

2. Learned counsel for the petitioner at the outset confines his prayer for deciding representation dated 25.09.2023 (Annexure P-5). He submits that at this stage, petitioner would be satisfied, if the said representation is decided by passing a speaking order within a time bound frame.

3. I have heard learned counsel for the petitioner and have gone through the record of the case.
4. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.1 – Chairperson, Corporation is directed to consider and decide the claim made in the representation dated 25.09.2023 (Annexure P-5) in accordance with law, by passing a speaking order within a period of 03 months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled, his claim be released within a period of 06 weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioner merits rejection the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioner within the time as stipulated hereinabove.
5. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

18.01.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No