



**CM-5211-C-2024 ,CM-5210-C-2024
CM-5212-C-2024 in/and
RSA-1326-2024** **1**

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

(111) **CM-5211-C-2024
CM-5210-C-2024
CM-5212-C-2024 in/and
RSA-1326-2024
Date of Decision : May 20, 2024**

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

Versus

Moti Singh (since deceased) through LRs **.. Respondents**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Dhruv Walia, Advocate, for the appellants.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-5211-C-2024

Present application has been filed for condonation of delay of 41 days in filing the appeal.

Keeping in view the facts mentioned in the application, which are duly supported by an affidavit, the application is allowed. Delay of 41 days in filing the appeal is condoned.

CM-5210-C-2024

As prayed for, the application is allowed.



**CM-5211-C-2024 ,CM-5210-C-2024
CM-5212-C-2024 in/and
RSA-1326-2024**

2

RSA-1326-2024

1. In the present appeal, the challenge is to the judgments and decrees of the Courts below by which, the suit filed by the respondent-plaintiff claiming the benefit of promotional increment on completion of 23 years of service, has been allowed and the appeal filed by the appellants has been dismissed.

2. At the outset, learned counsel for the appellants submits that the eligibility of the respondent-plaintiff which has been adjudicated for the grant of promotional increment, is not being disputed but the benefit of arrears should not have been given for total period and the same should have been restricted.

3. I have heard learned counsel for the appellants and have gone through the record with his able assistance.

4. Once, the entitlement of the respondent-plaintiff for the grant of promotional increment from 02.11.2001 is not disputed, it cannot be said that while accepting the claim of the respondent-plaintiff, the arrears should be denied to him. It is not a case where the entitlement of the respondent-plaintiff has been adjudicated rather, the entitlement of the respondent-plaintiff was clear from the notification which has been issued by the Government for the grant of benefit of promotional increment itself.

5. Further, once the benefit which the respondent-plaintiff was entitled for, has not been extended to him on a due date, the grant of arrears cannot be objected to.



**CM-5211-C-2024 ,CM-5210-C-2024
CM-5212-C-2024 in/and
RSA-1326-2024**

3

- 6. No other argument was raised.
- 7. Keeping in view the above, as no perversity in the judgments and decrees of the Courts below has been pointed out, no ground is made out for any interference by this Court in the present case.
- 8. Dismissed.
- 9. Any civil miscellaneous application pending if any, also stands disposed of.

May 20, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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