



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

224

**CWP No.484 of 2018 (O&M)
Date of decision: 02.09.2024**

Sukhdev Singh

....Petitioner

Versus

Punjab State Power Corporation Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Birjesh Nandan, Advocate
for the petitioner.

Ms. Monica Chhibber Sharma, Advocate
for the respondents.

NAMIT KUMAR J. (Oral)

The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India, seeking a writ of mandamus, directing the respondents to grant the benefit of promotional increment(s) to the petitioner in view of circular dated 23.04.1990 (Annexure P-1), especially in view of the judgments passed by this Court in CWP No.20139 of 2015 (Annexure P-8), CWP No.10689 of 2016 (Annexure P-9) and CWP No.17313 of 2017 (Annexure P-11) as well as in view of the office orders (Annexures P-5 to P-7), passed by respondent – Corporation vide which the benefit of 23 years promotional increment has already been granted to similarly situated employees. Further prayer has been made to direct the respondent – Corporation to release the benefits as claimed vide legal notice dated



10.07.2017 (Annexure P-10) along with interest @ 18% per annum from the date when it became due till its realization.

Learned counsel for the parties are ad idem that the present petition is squarely covered by a judgment dated 31.05.2022 passed in bunch of cases and the lead case being CWP No.27130 of 2019, titled as “Shavinder Singh vs Punjab State Power Corporation Limited and others”. The concluding para of the said judgment, reads as under:-

“Learned counsel for the respondents further clarifies/submits that it may be a case that an employee might be ineligible on a particular date when he completes 23 years of service but in case he remains in service and thereafter, becomes eligible due to subsequent notification issued by the respondents-Corporation, the Corporation will consider his/her case on the said date of eligibility also.

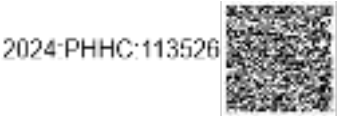
This Court has been assured by the respondents that the orders already passed declining the claim of the petitioners will not be taken into account in case, an employee makes out a case for reconsideration of the same in the representation which is to be submitted after the passing of the order in the present case.

Proposal of reconsideration of the cases by the Corporation is accepted by the learned counsel appearing on behalf of the petitioner(s).

Keeping in view the above assurance given by the Corporation, the impugned orders are not being set aside as Corporation has undertaken to reconsider the issue on case to case basis in case, the petitioners raise any grievance qua the same before the authorities concerned.

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.”

The petitioner shall be at liberty to make a representation in terms of the said judgment, within a period of one month from today, and the same shall be disposed of by the respondents in terms of the directions issued above.

Disposed of in the above terms.

(NAMIT KUMAR)
JUDGE

02.09.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No