



CWP No. 5056 of 2018

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

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CWP No. 5056 of 2018 (O&M)

Date of Decision: 30.08.2024

Mohinder Singh

.....Petitioner

Versus

Bhakra Beas Management Board and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN**Present:** Mr. Naveen Batra, Advocate for the petitioner.

Mr. S.P.Arora, Advocate for the respondents.

ALOK JAIN, J.(ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for directing the respondents to release the pensionary benefits alongwith arrears and the statutory interest by relying upon the notification/circular No. 31021-170/R&R 4178 dated 25.09.2013.

2. Learned counsel for the respondents submits that while the petitioner was in the field of extended service, the Circular dated 30.10.2015 came into force and the petitioner while seeking the extension for second year made an undertaking to accept all the conditions stated in the Circular dated 30.10.2015. He further submit that as per the Circular dated 30.10.2015, the petitioner is not entitled for any promotion, the benefit of Assured Career Progression, annual increment or any revision of pay made by the State Government.

3. Per contra, learned counsel for the petitioner reiterated that this

Circular would come into force when the second extension granted to the



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petitioner vide Annexure P-5 while his first extension will be governed by the 2013 circular.

4. A perusal of the paper book shows that the authorities have not taken any cogent decision on the said issue though the legal notice issued by the petitioner was duly replied to by the authorities but in that also the said issue had not been considered. The petitioner contains his prayer for grant of relief only for the first year of extension.

5. Without commenting on the merits of the case, the case is disposed of with the direction to the petitioner to file a comprehensive representation within one month from today, only with the prayer qua the tenure of his first extension and the same shall be considered by the respondent-authorities without being prejudice by this order in accordance with law and the circulars as applicable.

6. It is needless to say that the authorities will return a finding as to which circular will be applicable and the date from which it will take effect.

7. Petition stands disposed of.

30.08.2024 (ALOK JAIN)
Rajeev (rvs) JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No