



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

112

CWP-7763-2026 (O&M)
Date of decision: 16.03.2026

Harmesh Lal

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gurnoor Singh, Advocate for the petitioner.

Mr. Vikas Arora, DAG, Punjab.

HARPREET SINGH BRAR 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 respondents to grant the increased Basic and Dearness Allowance from 119% to 125% w.e.f 01.01.2016 and with interest of 18% per annum and release the gratuity and other retiral benefits from the date of joining i.e, 21.03.1977 and it is further prayed to restore one increment of Rs.670/- w.e.f date of reduction with all cumulative and retirement benefits of the petitioner. It is further prayed that the petitioner be held entitled to all the consequential benefits such as re- fixation of his pay, pension, arrears etc. for which he is legally entitled and special cost be imposed upon the respondents.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner retired from the Punjab State Power Corporation Limited (PSPCL) as a Lineman on 30.04.2016. He had joined the erstwhile



Punjab State Electricity Board (PSEB) as a work-charge employee on 21.03.1977 and was regularized in the year 1986. At the time of retirement, the petitioner's basic pay was Rs.22,720/-. Thereafter, the respondents unilaterally withdrew one increment of Rs.670/- w.e.f. 01.09.2015, thereby reducing the pay of the petitioner without issuing any notice or providing an opportunity of hearing. Learned counsel for the petitioner further submits that the petitioner's retiral benefits were calculated @ 119% of Basic Dearness Allowance instead of the revised rate of 125% notified by the Punjab Government w.e.f. 01.11.2016. The respondents have wrongly calculated the gratuity of the petitioner by counting work-charge period separately whereas his continuous service ought to have been counted from the initial date of joining i.e. 21.03.1977 in view of the continuous service rendered by the petitioner. Learned counsel for the petitioner further submits that after issuing a legal notice (Annexure P-3) and filing a previous writ petition i.e. CWP No.21747 of 2025, which was withdrawn with liberty to file a fresh petition (Annexure P-4), the petitioner submitted a fresh representation on 10.02.2026 (Annexure P-5), which still remains undecided.

3. *Per contra*, learned State counsel submits that the petitioner has retired on 30.04.2016 and he has agitated his claim for the first time by serving a legal notice dated 18.12.2023 (Annexure P-3). As such, even if a benefit of past service is given to the petitioner, his arrears are required to be restricted to 38 months from the date of filing of CWP-21747-2025.



4. At this stage, learned counsel for the petitioner submits that he would be satisfied if the representation dated 10.02.2026 (Annexure P-5) of the petitioner is decided by respondent No.2 by passing a speaking order in a time bound manner.
5. Learned State counsel, appearing on advance notice, submits that he has no objection, in case a direction is issued to the respondent No.2 for time-bound consideration and decision of the representation dated 10.02.2026 (Annexure P-5) of the petitioner by passing a speaking order.
6. Therefore, in view of the limited prayer made by learned counsel for the petitioner, the respondent No.2 is directed to consider the representation dated 10.02.2026 (Annexure P-5) filed by the petitioner and pass a speaking order, after affording an opportunity of hearing to the petitioner, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted forthwith by respondent No.2.
7. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

16.03.2026

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