

CWP- 10086-2026

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

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**CWP-10086-2026(O&M)
Date of decision: 06.04.2026**

Charan Singh**... Petitioner****Vs.****The State of Haryana and others****... Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

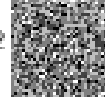
Present: Mr. Suresh Kumar, Advocate
for the petitioner.

Mr. Piyush Khanna, Addl.AG, Haryana.

Mr. Prince Singh, Advocate
for respondents No.2 to 7.

HARPREET SINGH BRAR, 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 *certiorari* for quashing the clause 3 of the memo bearing No. Ch-2755/CAO/PF dated 25-06-2020 (P-4) of respondent No 5 on whose basis respondent No 6 had stopped the Annual General Increments of the petitioner, being against the Notification/office order No. 367/NGE/G dated 23.05.1973 (P-2), 2/UHBVNL/REG-1 dated 09.04.1999 (P-3), minutes of meeting of Haryana Power Sports Group, Panchkula dated 10.10.2007 (Annexure P-9) and Advice/memo No. 1313/Sports-HPSG dated 29.03.2023 (Annexure P-18). Further prayer has been made for issuance of a writ in the nature of *mandamus* directing the respondents to restore all withheld annual increments

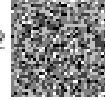


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from the date they become due, also to grant 1st and 2nd ACP as well as promotion to the petitioner as per Advice/approval dated 29.03.2023 (P-18) of the ACS (Power). It is further prayed for directing the respondents to release all monetary arrears resulting from refixation and further prayer has been made to award interest @18% per annum on the delayed payment of arrears from the date they were due until actual realization.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was appointed as Upper Division Clerk through direct recruitment in sportsman quota vide offer of appointment dated 09.08.1991(Annexure P-1) in the erstwhile Haryana State Electricity Board. At the time of appointment of the petitioner, circular dated 23.05.1973 (Annexure P-2) was in operation, which grants exemption to sportsman for passing the departmental accounts examination. The petitioner was granted all annual increments from his date of joining till 01.07.2018. However, his increments due for 01.07.2019 and 01.07.2020 were stopped by respondent No.6. The petitioner submitted multiple representations to the respondents for release of the aforementioned annual increments. But the representations remained unheeded. Further the agenda for restoration of stopped increments of the petitioner was approved in the meeting on 17.09.2022 by the Managing Director, which was later on approved by the concerned ACS being Chairman of the Haryana Power Utility on 29.03.2023 and identical circumstanced employee Sh. Vivek Lakhanpal, UDC has been granted exemption from passing the departmental accounts examination and he has been given all the due increments. Further, certain other identical circumstanced employees in the sports quota granted time bound ACP increments and

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promotion. As such the stoppage of increments passed on to Class III employee vide memo dated 25.06.2020 (Annexure P-4) is against the notification dated 23.05.1973 (Annexure P-2) and the advice dated 29.03.2023 (Annexure P-18). The action of the respondents is found discriminatory as identically circumstanced employees Harpal Singh and Vivek Lakhanpal were granted increments and promotion after granting the exemptions.

2. At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied, in case the present writ petition of the petitioner be treated as comprehensive representation and decided by respondent No.2 in the light of the aforesaid submissions made by him.

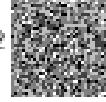
3. Notice of motion.

4. Mr. Piyush Khanna, Addl.AG, Haryana and Mr. Prince Singh, Advocate, who is present in the Court, accept notice on behalf of respondent No.1 and respondents No.2 to 7 respectively.

5. Mr. Prince Singh, Advocate, for respondents No.2 to 7 submits that he has no objection, in case a direction is issued to respondent No.2 to consider the claim of the petitioner and pass a speaking order within a period of six weeks

6. In view of the limited prayer made by learned counsel for the petitioner, present petition is disposed of and respondent No.2 is directed to consider the present petition as representation and decide the same by passing a speaking order, after affording an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of certified copy of this order.

7. Further, the decision taken on the representation, shall be conveyed to the petitioner.



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8. Needless to say, if the petitioner is found entitled to the relief sought, the same be granted to him forthwith by the competent authority.

06.04.2026
monika

[HARPREET SINGH BRAR]
JUDGE

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