



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

107

**CWP-28627-2025 (O&M)
Date of decision: 17.02.2026**

Gian Chand

....Petitioner

Versus

Punjab State Power Transmission Corporation Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. H.K. Brinda, Advocate
for the petitioner.

Ms. Gurneet Sagoo, Advocate
for the respondents.

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 *certiorari*, for quashing the action of respondents of withdrawing increment granted to the petitioner in May, 2013 on account of promotion of petitioner as Lineman (Class III post) after taking and accepting option dated 10.07.2013 and non-grant of regular annual increment due in July every year and increment on completion of 23 years of service i.e. 23rd year time-bound promotional scale on the pretext that the petitioner has not appeared and cleared the departmental examination. Further prayer has been made to direct the respondents to restore the increment granted on promotion after accepting option on 10.07.2013 without date on the pretext that the date will be filled as



beneficial to the petitioner and annual increment due in July every year after 2013 and 23rd year time bound promotional scale and fix the pay of the petitioner and determine and pay the arrears with interest @ 18% per annum from due date till its payment.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was selected and appointed on work-charge basis in the erstwhile Punjab State Electricity Board (now Punjab State Power Corporation Limited) on 12.09.1978. The petitioner was transferred from time to time and was regularized on 11.07.1988 as ALM and thereafter, promoted to the post of Lineman on 14.05.2013. The primary grievance of the petitioner is with regard to denial of 23 years time bound promotional scale. He further submits that the petitioner completed 23 years of regular service on 10.07.2011 as discernible from Annexure P-2. The petitioner represented to respondent/Corporation for grant of 23 years time bound promotional scale but the said benefit was neither extended to the petitioner or any reason was communicated to him for denying the same till his retirement on 30.04.2018. The petitioner, thereafter, approached this Court by filing CWP-27810-2019, and the said petition was disposed of on 27.11.2024 (Annexure P-5). In purported compliance, the petitioner submitted a detailed representation and respondent No.2 without considering the law cited by the petitioner and Instructions issued by Government of Punjab on 05.10.2012, declined the claim of the petitioner vide order dated 31.05.2022 (Annexure P-6). The petitioner again approached this Court by filing



CWP-10747-2025 and the said petition was also disposed of on 21.04.2025 and the petitioner once again made a detailed representation in compliance of the direction issued by this Court. However, the respondent No.1 again passed a speaking order and committed illegality justifying the withdrawal of increment granted to the petitioner. It was observed in the speaking order dated 26.06.2025 that the petitioner was promoted as Lineman on 14.05.2013 and he was asked to submit the option to take the increment on promotion or with annual increment which was submitted by the petitioner on 10.07.2013 and promotional increment was allowed to him with annual increment. However, the time bound promotional scale increment was withdrawn from the petitioner on the ground that he has not cleared the departmental examination. The petitioner is a Class IV employee and he was never put to notice regarding the schedule of the examination or the implication of Regulation requiring clearance of departmental examination.

3. *Per contra*, learned counsel for the respondents refers to Para 3 of the reply and submits that the petitioner has exercised his option for time bound promotional scale on 10.07.2013, however, as per Finance Circular No.20/2000 dated 28.07.2000 and Circular No.53/2011 dated 18.11.2011, the petitioner was not eligible for 23 years time bound promotional scale as he had not cleared the departmental examination. The details of the exam were regularly uploaded on the portal of respondent/Corporation and the exam is scheduled twice in a year. The



petitioner had ample opportunities to appear and clear the departmental examination and for a period of about five years after furnishing his option in July, 2013 till his retirement on 30.04.2018, the petitioner did not avail such opportunity nor made any effort to qualify the departmental examination.

4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. The controversy involved in the present case is whether the respondents were right in withdrawing the promotional increment already granted to the petitioner and in denying him annual increments and the 23 years time bound promotional scale on the ground that he had not cleared the departmental examination. It is also to be considered whether such benefits could be denied or withdrawn after having once been granted, especially when the petitioner claims that he was not properly informed about the requirement of passing the departmental examination.

6. It is pertinent to mention here that a bunch of writ petitions involving similar disputes has already been dealt with by this Court in **CWP-28852-2017**, titled as ***Roshan Lal vs. Punjab State Power Corporation Limited and others*** and other connected matters, decided on **30.10.2025**. In the said cases, this Court has held that once an issue has been finally settled by the High Court or the Supreme Court, the benefit should be extended to all similarly situated employees without compelling each of them to file separate petitions.



7. Vide Notification dated 25.06.2020, the Government of Punjab has notified the Punjab Dispute Resolution & Litigation Policy, 2020 (hereinafter 'Litigation Policy'), which is a comprehensive framework established with the primary objective of transforming the State Government from a pervasive and often inefficient litigant into a responsible and strategic participant in the justice system. Its core aim is to tackle the immense pendency and backlog of cases in courts by drastically reducing the volume of unnecessary litigation involving the State and its entities. The policy seeks to achieve this by creating conditions that minimize the institution of new cases, curb delays in ongoing litigation, and proactively resolve disputes at the administrative level or through Alternative Dispute Resolution (ADR) mechanisms like arbitration and Lok Adalats, thereby preventing them from escalating to the courts in the first instance.

8. To operationalize this vision, the policy outlines a detailed institutional architecture and a set of strategic directives. It establishes a multi-tiered monitoring structure, including Departmental Nodal Officers, District-Level Committees, Department Committees on Litigation (DCL), and a high-powered Empowered Committee on Litigation (ECL), to ensure rigorous oversight and accountability. Key features include explicit guidelines to avoid frivolous litigation, such as not filing appeals in petty financial matters or individual service grievances, and mandating the passing of well-reasoned speaking orders to prevent disputes from arising. Furthermore, the policy enforces strict



timelines for responding to legal notices and court orders, promotes the use of a digital case management system for transparency, and centralizes the strategy for critical cases under the Advocate General. The profound importance of this policy lies in its potential to decongest the judiciary, conserve public resources spent on avoidable legal battles, foster good governance through timely and fair administrative action, and ultimately enhance the public's access to justice by providing quicker and more amicable resolutions.

9. In compliance with the order dated **20.03.2025** passed by this Court in **CWP-7727-2025** titled as ***Paramjit Kaur vs. State of Punjab and others*** and **CWP-7728-2025** titled as ***Major Singh vs. State of Punjab and others***, the Government of Punjab vide letter dated 16.04.2025, has constituted an Empowered Committee to address the various issues raised by the employees.

10. Considering the fact that similar issues are presently being examined by the Empowered Committee constituted by the State Government pursuant to earlier directions of this Court and in order to maintain consistency and avoid conflicting decisions, this Court deems it appropriate not to adjudicate the matter on merits at this stage. Instead, the petitioner is relegated to avail the remedy before the Empowered Committee, which shall examine the claim independently in accordance with law.

11. In view of the above, the present petition is disposed of in the following terms:



- a. The petitioner is directed to submit a comprehensive representation setting out his respective claims before the Empowered Committee within a period of one month from the date of receipt of a certified copy of this order.*
- b. The Empowered Committee shall afford a fair opportunity of hearing to the petitioner and shall adjudicate his claims by passing a reasoned and speaking order within a further period of three months, keeping in view the judgments referred to hereinabove.*
- c. It is further clarified that any other similarly situated employee, who has not approached this Court, shall also be at liberty to submit a representation before the Empowered Committee, and such representation(s) shall be decided by the Committee in a time-bound manner in accordance with law.*

12. Pending miscellaneous application(s), if any, shall also stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

17.02.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No