

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

CWP No.7450 of 2015
Date of decision: 23.04.2015

Sajjan Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Balbir Singh, Advocate, for the petitioners.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

Writ in the nature of mandamus is prayed for so as to direct the respondents to grant increments to the petitioners, as they served with the Defence Forces during 2nd National Emergency w.e.f. 03.12.1971 to 25.03.1977, and in terms of the Punjab Recruitment of Ex-Servicemen (First Amendment) Rules, 2009, are entitled to increments and pension. It is averred that the petitioners retired from the army service and were re-employed with Punjab Armed Police, Indian Reserve Battalion and Punjab Police in the State of Punjab. And are thus entitled to one increment for the effective period for each completed year of service. In fact, respondents No.4 to 11, were even served upon a legal notice dated 10.09.2014 (Annexure P2) in this regard. But to no avail. Not just that, even prior to the institution of this petition,

petitioners served another legal notice dated 10.02.2015 (Annexure P3) upon the Commandants, 4 Indian Reserve Battalion, Punjab-Jalandhar Camp at Kapurthala (Punjab) and Senior Superintendent of Police, Punjab Police Jagraon, Ludhiana Rural Punjab. But that has also not been heeded to.

Learned counsel for the petitioners submits that, at this stage, let this petition be disposed of with a direction to respondents No.4 to 11, to consider and decide the legal notices (Annexure P2 & P3) served by the petitioners within a specified time.

That being so, and without expressing any opinion on merits and also as regards the question/issue of delay or limitation, if any, this petition is disposed of with a direction to respondents No.4 to 11, to consider and decide the claim of the petitioners, as set out in their legal notices dated 10.09.2014 & 10.02.2015 (Annexures P2 & P3), strictly in accordance with law, within a period of 3 months from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

April 23, 2015
Rajan

(Arun Palli)
Judge