

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

**CWP No.13126 of 2012
CWP No.24882 of 2013**

Date of Decision: 21.1.2016

1.CWP No.13126 of 2012

Lakhwinder Kaur and others Petitioners

Versus

State of Punjab and others Respondents

2.CWP No.24882 of 2013

Inderjit Kaur and others Petitioners

Versus

State of Punjab and others Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Amit Chopra, Advocate
for the petitioners

Mr.Nikhil K.Chopra, DAG, Punjab

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

This order will dispose of CWP Nos.13126 of 2012 and 24882 of 2013 as common questions of law and facts are involved in both the writ petitions.

These petitions have been filed against an order of recovery of the arrears of the three advance increments. The Officers' Committee appointed by this Court in a litigation has itself opined in a report submitted to the Government that the three advance increments granted to the petitioners were correctly given in terms of the Punjab Government Circular, 1957

which gave benefit of additional increments for acquiring higher qualification while in service. In view of this position, the recovery from the petitioners becomes illegal.

Consequently, directions are issued to the competent authority amongst the respondents to consider and decide the case of the petitioners in the light of the report of the Officers' Committee. Let a decision be taken within 30 days from the date of the receipt of a certified copy of this order. Opportunity of personal hearing would be afforded to the petitioners in case an adverse order is contemplated.

With these observations and directions, both the writ petitions are disposed of.

Photocopy of this order be placed on record of another connected file.

(RAJIV NARAIN RAINA)
JUDGE

21.1.2016
MFK