

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.10985 of 2016**  
**Decided on : 28.05.2016**

Subhash Chander

... Petitioner

Versus

State of Punjab & others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present : Mr.M.K.Dogra, Advocate  
and Ms.Natasha Munjal, Advocate, for the petitioner.

**G.S. Sandhawalia , J. (Oral)**

Petitioner seeks the benefit of restoration of special/retrenchment increments, in accordance with the judgment of the Apex Court in **State of Punjab & others Vs. Tarlok Chand & others 2014 (4) SCT 361** dated 14.07.2014 (Annexure P9).

It is the case of the petitioner that he retired on 31.03.2015 as a Diesel Mechanic and had filed a representation dated 22.10.2014 (Annexure P10), during his period of service, claiming the benefits, as granted by the Apex Court. Accordingly, counsel submits that decision be taken on the said representation. Reference is also made to the stand taken by the State in another bunch of cases in CWP-25992-2015 titled *Kuldeep Singh & others Vs. State of Punjab & others*, decided on 28.04.2016 (Annexure P11), wherein the State had taken the defence that in view of the request received from various Unions, they had decided to implement the decision dated 16.07.2014, by restoring the pay of the employees by granting special increments, as per their admissibility, as per the orders of the Apex Court. Resultantly, the pay was to be fixed as per entitlement of the increments and where recovery had been made, the employe was to be entitled for the said amount along with interest @ 6%

per annum from the date of deduction.

Notice of motion.

Mr.R.S.Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to him.

Accordingly, keeping in view the above facts and the limited relief sought, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case and the entitlement of the petitioner, the present writ petition is disposed of, with a direction to respondent No.2 to decide the representation dated 22.10.2014 (Annexure P10), in view of the earlier stand taken in connected matters, within a period of 3 months from the receipt of the certified copy of this order. In the event of favourable consideration, the amount be released within a period of 1 month, thereafter. In case an adverse order is to be passed, same be conveyed to the petitioner.

**MAY 28, 2016**  
*sailsh*

**(G.S. SANDHAWALIA)**  
**JUDGE**