

LPA-1888-2016

-1-

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

LPA-1888-2016

Date of Decision: November 28, 2016

Sat Pal Chauhan

.....Appellant

Versus

Punjab & Haryana High Court and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

.....

Present: Mr.Anurag Goyal, Advocate
for the appellant.

.....

SURYA KANT, J.

The appellant's claim for the grant of one premature increment has been rejected by the learned Single Judge for want of eligibility. The aggrieved appellant has preferred this Letters Patent Appeal.

The appellant is an employee of the High Court. His claim is founded upon the order dated 11.04.2013 passed by Hon'ble the then Acting Chief Justice which reads as follows:-

“I, accordingly, accept the proposal and grant a premature increment to all such employees who have completed a minimum of one year service as on 01.04.2013 and against whom no disciplinary proceedings are/were pending as on said date. Employees who are under suspension or facing any disciplinary proceedings as on 01.04.2013 may not be granted the benefit of premature increment. They may be granted the said benefit w.e.f. 01.04.2013 upon finalization of their departmental proceedings if they are fully exonerated.

Those 'warned' or 'censured' shall also be entitled to the benefit. The premature increment may not be granted to such employees who have been awarded any punishment/penalty and are still under the currency of any punishment (except censure or warning) as on 01.04.2013. However, such employees may be granted the said benefit from the date when they come out of the currency of the punishment awarded to them.

Besides employees, all the judicial Officers working in the High Court for last six months as on 1.4.2013, be also granted similar premature increment for the commendable job they have done."

It may be seen that only those employees who had completed minimum one year service as on 01.04.2013 were granted premature increment subject to certain other conditions. The appellant admittedly joined the establishment of High Court on 03.08.2012 and thus, had not completed one year service as on 01.04.2013. We thus do not find any infirmity in the order passed by learned Single Judge. The appellant's claim that the work performance for the period from 01.09.2012 to 31.03.2013 only was kept in view and during that period he was in actual employment of the High Court is inconsequential as specific eligibility condition for the grant of premature increment was the completion of one year service as on 01.04.2013.

No case to interfere with the order under appeal is made out.

Dismissed.

(SURYA KANT)
JUDGE

November 28, 2016

(SUDIP AHLUWALIA)
JUDGE