

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 7568 of 2017 (O/M)
Date of decision : 18.4.2017

Dr. R.S. Banga and others Petitioner (s)

Versus

State of Haryana and others Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ashish Chaudhary, Advocate, for the petitioners.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

Petitioners No. 1 to 3 were working on the post of Principal Scientist in their respective departments in respondent-University and retired on 30.6.2015 on attaining the age of superannuation. Their next increment was due on 1.7.2015. In the same way, petitioner No. 4 was working on the post of Principal Scientist in his respective department in respondent-University and retired on 30.6.2013 on attaining the age of superannuation. His next date of increment was due on 1.7.2013. Similarly, petitioner No. 5 was working on the post of Project Director in his respective department in respondent-University and retired on 30.6.2012 on attaining the age of superannuation. His next date of increment was due on 1.7.2012. The learned counsel for the petitioners states that the increment due on 1st of July should be granted to them since they have completed one year of service on the date of their superannuation i.e. 30.6.2015, 30.6.2013 and 30.6.2012 respectively. Reliance has been placed upon Rule 10 of Civil Services (Revised Pay) Rules, 2008.

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After going through the said rule, I am of the view that in the said rule at the first instance, the increment was to be uniformly granted on 1st July of every year and in case of employees, who have rendered service of six months or more on 1st July, their date of increment should be the next 1st of July and thereafter 1st of July every year. As the increment was due only on 1st of July and the petitioners retired one day earlier i.e. 30.6.2015, 30.6.2013 and 30.6.2012 respectively, therefore, they are not entitled to benefit of Rule 10 of Civil Services (Revised Pay) Rules, 2008 and the increment cannot be granted to them since they were not on the roll of respondent-University on 1st of July. Hence, the present writ petition is dismissed.

(KULDIP SINGH)
JUDGE

18.4.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No