

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20819 of 2018
Date of decision: 21.08.2018

Rakesh Kumar Aneja and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.K. Malik, Advocate,
for the petitioners.

Ritu Bahri, J.

Notice of motion.

On the asking of the Court, Ms. Palika Monga, DAG, Haryana,
accepts notice on behalf of the respondent-State.

Petitioners, who are working as Junior Engineers, are seeking the
benefit of two advance increments by merging in the pay in view of the
instructions dated 27.01.1992 (Annexure P-1A) and further clarification
dated 10.01.2012 (Annexure P-2).

Petitioners were granted the benefit of additional increments, but
as per clarification, it has not been merged with the pay. Learned counsel
for the petitioner has referred to the order dated 16.01.2002 (Annexure P-
10), two advance increments have been granted in the pay scale of 6500-
200-9400-EB-200-10500. A Division Bench of this Court while dismissing
LPA No.970 of 2011, titled as **The Punjab and Haryana High Court vs.**
Priya Sood and others, decided on 30.05.2011 (Annexure P-11), held that
when advance increment is granted to the Judicial Officer(s) after acquiring

qualification of LLM as per First National Judicial Pay Commission-Shetty Pay Commission report, it has to be regarded as substitute for additional increment and the words 'advance increment' have the same meaning as words 'additional increment' in common parlance.

Some Junior Engineers had approached this Court by filing CWP No.14814 of 2018, titled as **Jagbir Singh Malik and others vs. State of Haryana and others**, claimaing the same benefit as is being sought in this petition. The said petition was disposed of on 01.06.2018 (Annexure P-12) by giving direction to the respondent(s) to pass appropriate order on their representation.

Keeping in view the judgment passed by this Court in LPA No.970 of 2011 (Annexure P-11), the respondents are directed to look into the representation/legal notice of petitioner(s) dated 05.05.2018 (Annexure P-5) and pass speaking order with regard to merging of additional increments with the pay of the petitioners within a period of six weeks from the date of receipt of certified copy of this order.

21.08.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No