

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

(128)

CWP-30356-2018

Date of Decision: November 30, 2018

Haryana Vidhyalaya Adhyapak Sangh and ors

..Petitioners

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J.(ORAL)

Petitioners have approached this Court with a prayer that the date of grant of increment was 01.07.2017 and the petitioners worked upto 30.06.2018 before they superannuated in the year 2016, 2017 and 2018, as the case may be but the respondents have not granted increment for the said year on the ground that the increment was to be granted on 01.07.2017, on which date the petitioners were not in service.

Learned counsel for the petitioners contends that the increment is to be granted for the service rendered for the year which the petitioners have rendered prior to the retirement and hence denial of increment for which they are entitled for is contrary to the law laid by the judgment of Madras High Court attached as Annexure P-5 which has been upheld by the Hon'ble Supreme Court of India.

Learned counsel for the petitioners further states that the petitioners will be satisfied, in case a time bound direction is given to the respondents to decide their claim raised in the legal notice dated 25.07.2018 (Annexure P-3).

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal noticed dated 25.07.2018 (Annexure P-3), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 25.07.2018 (Annexure P-3) within a period of three months from the receipt of copy of this order.

In case, it is found that the petitioners are entitled to any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioners within three months thereafter.

November 30, 2018
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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