

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

Sr. No.123

Civil Writ Petition No.3842 of 2018
DECIDED ON: February 19, 2018

RAM SINGH AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Minderjeet Yadav, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of Mandamus directing the respondents to grant one increment under Rule 4.4(a)(I) of the Punjab Civil Service Rules, Volume I Part I to them w.e.f. May 22, 1996 i.e. the date of their promotion to the post of Head Teacher with all consequential benefits including the fixation of pay, revised pensionary benefits, arrears of salary/pension etc. along with interest @ 18% p.a.

2. The contention of learned counsel for the petitioners is that action of respondent No.3 for not giving the benefit of one increment to the petitioners on May 22, 1996 is illegal, arbitrary and against the provisions of Rule 4.4(a)(I) of the Punjab Civil Service Rules, Volume I Part I. However, petitioners stood retired on different dates on attaining the age of superannuation. On November 15, 2017, legal notice was moved to the

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respondents but till date neither any reply has been received nor any final decision has been taken. Learned counsel for the petitioners further contends that they feel satisfied in case a direction is issued to respondent No.2 to decide the legal notice dated November 15, 2017 (P-10) within some stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.2-The Director Secondary Education, Haryana, Shiksha Sadan, Sector 5, Panchkula to look into the grievances unfolded by the petitioners in the legal notice dated November 15, 2017 (P-10) and to take a conscious decision by passing a speaking order as per rules and instructions issued by the Government from time to time as well as cases already referred in the above said legal notice, within a period of four months from the date of receipt of a certified copy of this order. In case, non compliance of this order, petitioners shall be at liberty to approach this Court.

February 19, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No