

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4955 of 2019

Date of Decision : 25.02.2019

Narinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunny Singla, Advocate for
Ms. Riti Aggarwal, Advocate for the petitioners.

Harsimran Singh Sethi, J.(Oral)

The present writ petition has been filed claiming one premature increment for non-participation in the strike dated 08.02.1978.

In the petition, the petitioners are relying upon the orders passed by this Court, where the similarly situated employees were extended the said relief of premature increment for non-participation in the strike.

The contention which has been raised by the counsel for the petitioners is that the said relief has not been extended to the petitioners on the ground that there is no order from the competent Court of law granting the said benefit to the petitioners.

From the pleadings, it transpires that the orders, which were passed by this Court, were in the writ petitions which were filed starting from the year 1989 onwards till the year 2002. The petitioners have approached this Court in the year 2019.

Be that as it may, the respondents are directed to consider the legal notice dated 28.09.2018 (Annexure P-6) and pass a speaking order deciding the same within a period of three months from the date of receipt of the certified copy of this order.

In case the petitioners are found entitled for the said relief, the same shall be given to the petitioners notionally and in case on re-fixation, their pension is also to be revised, the same should also be revised within a further period of three months and that too notionally only and no arrears shall be given.

At this stage, this Court expresses no opinion in respect of the entitlement of the petitioners for the grant of the said relief as the writ petition is not being decided on merits.

The present writ petition stands disposed of.

February 25, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*