

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

CWP-9450-2019

Date of decision: - 08.04.2019

Umed Singh and others

...Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vikram Sheoran, , Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioners have approached this Court seeking grant of the increment for the service, which they have rendered continuously for a period of one year before they superannuated.

Counsel for the petitioners states that benefit of the increment has not been allowed to the petitioners on the ground that the increment was to be granted on 1st July of the years in which the petitioners retired, whereas, they retired on the last date of the month of June and therefore, though the petitioners completed one year of service but as the petitioners were not in service on relevant date(s) on which they were to be granted the increment they are not entitled for the benefit of increment.

Counsel for the petitioners contends that the increment is to be granted for the service rendered for the year, which the petitioners rendered prior to their 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-3 which has been upheld by the Hon'ble Supreme Court of India.

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 15.12.2018 (Annexure P-2).

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 notice dated 15.12.2018 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 15.12.2018 (Annexure P-2) 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.

Present writ petition stands disposed of.

April 08, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No