

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

(117)

CWP-9619-2019

Date of Decision: April 10, 2019

Satvir Singh and another

.. 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 seeking grant of the increment in respect of the service which they have rendered from 01.07.2016 till 30.06.2017 in case of petitioner No.1 and from 01.07.2011 till 30.06.2012, which benefit has been denied to them on the ground that on the day when the increment was to be granted, the petitioners were not in service and had already retired.

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-4 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 05.02.2019 (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 05.02.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 05.02.2019 (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 the 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.

(HARSIMRAN SINGH SETHI)
JUDGE

April 10, 2019
harsha

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