

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

(116)

CWP-10853-2019

Date of Decision: April 26, 2019

Surender Singh and others

.. Petitioners

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which is being raised by the petitioners is that even though they had rendered continuous one year service upto 30th June of the year in which they retired, still the benefit of increment for the said service was not extended to them on the ground that the increment was to be given on 1st of July, on which date, the petitioners were not in service.

The contention of the petitioners is that the increment is to be given for one year continuous service rendered, which the petitioners had rendered prior to their retirement and therefore, the act of the respondents in declining to grant the increment for continuous one year service, which they had rendered prior to their retirement, is contrary to the law governing the service.

From the pleadings, it transpires that for the relief, which has been claimed in the present writ petition, the petitioners have served upon the respondents with a legal notice dated 16.02.2019 (Annexure P-5), which is still pending consideration with the respondents. Interest of justice will be

served, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

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 16.02.2019 (Annexure P-5), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 16.02.2019 (Annexure P-5) within a period of three months from the receipt of certified copy of this order.

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

April 26, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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