

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

**CWP No. 10571 of 2019
Date of Decision : 24.04.2019**

Neelam Chopra

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, petitioner has approached this Court stating that she had rendered continuous service for a period of one year before she retired on 30.06.2013. The grievance of the petitioner is that she has not been given the benefit of increment for the said service on the ground that the said benefit was to be extended from 01.07.2013 and on the said date, she had already retired and, therefore, benefit cannot be granted as the petitioner was not in service on the said date.

As per the averments made in the writ petition, the increment is to be granted for the service rendered for the year which the petitioner rendered prior to the retirement and hence, denial of increment for which she is entitled for is contrary to the law laid down by the judgment of Madras High Court attached as Annexure P-3 which has been upheld by Hon'ble the Supreme Court of India.

From the averments made in the writ petition, it transpires that for the relief, which has been claimed in the present writ petition, the petitioner has served upon the respondents a legal notice dated 07.02.2019 (Annexure P-2) and as per the averments made in the writ petition, the said legal notice is still pending consideration with the respondents.

Interest of justice will be served, at this stage, in case a time bound direction is given to the respondents to decide the said legal notice by passing an appropriate speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 07.02.2019 (Annexure P-2) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to her within a period of next three months.

The writ petition stands disposed of.

April 24, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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