

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11017-2019

Date of decision: - 29.04.2019

Naresh Kumar Chopra and others

....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)

In the present writ petition, the grievance which is being raised by the petitioners is that as they were asked to perform the duties of the post of Sub-Divisional Engineer on current duty charge, they are entitled for the benefits of one additional increment for discharging the duties of the post of higher responsibility under Section 4.4(2)(c)(i) of the Punjab Civil Service Rules, Vol.-I, Part-I.

Counsel for the petitioners states that the similarly situated employees have already been granted the said benefit by this Court while deciding CWP No.3922 of 2011 titled as 'Narender Pal Singh Arya and others Vs. State of Haryana and another, on 03.10.2016. He further states that even the LPA No.2460 of 2017, filed against the said judgment, has already been dismissed by the Division Bench of this Court on 31.07.2018.

Counsel for the petitioners further states that petitioners are the similarly situated employees as the petitioners in CWP No.3922 of 2011, decided on 03.10.2016 and therefore, they are entitled for the same benefit as extended to the petitioners in CWP No.3922 of 2011.

Counsel for the petitioners further states that for the relief which has been sought in the present writ petition, the petitioners have served the respondents with a legal notice on 07.02.2019 (Annexure P-3), which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 07.02.2019 (Annexure P-3) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

April 29, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No