

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

(166)

CWP-15879-2019

Date of Decision: May 31, 2019

Om Prakash and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jasbir Mor, Advocate, for
Mr. Vikram Sheoran, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

Petitioners have approached this Court seeking grant of increment in respect of the service which they have continuously rendered for one year before they superannuated in the year 2013, 2011 and 2010, as the case may be but the respondents have not granted increment for the said year on the ground that the increment was to be granted on 1st of July of respective years of their retirement, on which date the petitioners were not in service.

Learned counsel for the petitioners contends that the increment is to be granted for the service rendered for the year which the petitioners have rendered prior to the 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.

Learned counsel for the petitioners argues that on 03.04.2019, even a decision has been taken by the Government of Haryana to grant the benefit of the increment to an employee who has retired on 30th of June of a

respective year and increment was to be granted on 1st of July but still no benefit is being extended to the employees, and the matters are being kept pending.

Learned 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 05.03.2019 (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 05.03.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 05.03.2019 (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 for any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioners within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

May 31, 2019
harsha

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