

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

CWP-17933 of 2016

Date of decision: 13.08.2019

Shalig Ram

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the parties.

HARSIMRAN SINGH SETHI, J.

The claim of the petitioner in the present writ petition is for grant of three increments in respect of service rendered by the petitioner during second emergency. In the reply, the respondents have stated that benefit of three increments for service rendered by the petitioner during second emergency has already been extended to the petitioner and even the amount for which the petitioner was entitled for, has already been deposited in his account. The relevant paragraph of the reply is as under:-

“That the petitioner has filed the present petition for directions to the respondents to grant three increments on account of service rendered during second emergency from 30.06.1973 to 25.03.1977 as the same has been granted vide order dated 23.07.2012 but the same has allegedly not been given during the revision of pay w.e.f. 01.10.2011 till 30.11.2015.

That it is submitted that the 3 yearly increments towards counting of service period of 3 years 8 months and 25 days of the petitioner rendered during the second emergency has already been granted. The necessary approval for granting the benefit of 3 yearly increments was given by the answering respondent No.3 vide letter dated 02.09.2013 and thereafter, the Block Development and Panchayat Officer, Dharkalan vide office order dated 22.08.2014 granted the petitioner 3 years increments as on 23.02.2007 and also on pay revision on 01.10.2011. True and translated copy of the said office order dated 22.08.2014 is attached herewith as Annexure R-4/1.

That a careful perusal of the said office order

would show that the 3 yearly increments have granted to the petitioner as on 23.02.2007 and also on 01.10.2011. Thus, the allegation levelled by the petitioner that the 3 yearly increments have not been granted to him even after pay revision as of 01.10.2011 are false and baseless.

That it is further submitted that the Block Development and Panchayat Officer, Dharkalan prepared the arrears bill of the petitioner amounting to Rs.143703/- for the period from February, 2007 up to 30.09.2013 on 15.09.2014. True Copy of the said arrears bill dated 15.09.2014 is attached herewith as Annexure R-4/2.

That it is evident from the above detailed submissions that the relief claimed by the petitioner has already been granted to him. The 3 yearly increments on account of service rendered by the petitioner during 2nd emergency have already been granted. Further, the arrears payable to the petitioner on account of grant of benefit of 3 yearly increments as on 2007 and after pay revision in October 2011 already stand paid to the petitioner vide Voucher No.68 dated 02.01.2017 drawn on account NO.30231727961 of State Bank of India, Dharkalan. Thus, the present petition deserves to be summarily dismissed, qua the answering respondents, in interest of justice.”

There is no replication filed by the petitioner to the written statement filed by the respondents, denying the averments made in the written statement. Keeping in view the above, the benefit for which the petitioner has filed the present writ petition has already been extended to him.

In case petitioner feels that any benefit for which he is entitled has not been released by the respondents so far, the petitioner is at liberty to approach the respondents by filing appropriate representation. In case any such representation is filed by the petitioner, respondents shall decide the same by passing an appropriate speaking order within a period of three months from the date of the receipt of the said representation.

The present writ petition stands disposed of as having been rendered infructuous.

(HARSIMRAN SINGH SETHI)
JUDGE

13.08.2019

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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |