

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

**(131)**

**CWP-19613-2019**

**Date of Decision: July 19, 2019**

**Dr. Upender Dutt Sharma and others**

**.. Petitioners**

**Versus**

**State of Haryana and another**

**.. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Jai Vir Yadav, Advocate, for the petitioners.

**HARSIMRAN SINGH SETHI, J.(ORAL)**

In the present writ petition, the grievance of the petitioners is that though the petitioners retired on 30<sup>th</sup> of June in a particular year, the description of which has been given in paragraph 3 of the writ petition and prior to the said date they have worked continuously for one year on the posts in their respective cadres but they have not been granted the increments for the service rendered by them for the said one year immediately before their retirement on the ground that the increment was to be effected on 1<sup>st</sup> of July, on which date they 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 had 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-1 which has been upheld by the Hon'ble Supreme Court of India.

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 25.03.2019

(Annexure P-3).

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 25.03.2019 (Annexure P-3), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 25.03.2019 (Annexure P-3) within a period of three months from the receipt of copy of this order.

In case, it is found that the petitioners are entitled to 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**

**July 19, 2019**  
*harsha*

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