

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

**CWP No. 25087 of 2019
Date of decision : 09.09.2019**

Rajender Singh

....Petitioner

Versus

The State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Kamlesh Khatri, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that though the petitioner had rendered continuous one year service from 01.07.2016 onwards till 30.06.2017 but the benefit of the said service has not been granted to him on the ground that the increment for the said period was to be granted on 01.07.2017 on which date, petitioner was not in service and had already retired, therefore, the grant of the increment by the respondents for the said period has been denied. Learned counsel further argues that once the petitioner had rendered continuous one year service, he is entitled for the increment under the Rules and, therefore, irrespective of the fact that the petitioner was not in service on 01.07.2017, the benefit of the increment cannot be taken away for continuous service of one year.

Learned counsel for the petitioner states that for the relief,

which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 01.12.2018 (Annexure P-1), which is still pending consideration with the respondents and the petitioner 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 and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 01.12.2018 (Annexure P-1) 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 petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Writ petition stands disposed of accordingly.

September 09, 2019

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(HARSIMRAN SINGH SETHI)

JUDGE

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