

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

CWP-25772 of 2019

Date of decision: 13.09.2019

Ram Chander Sharma and another

.... Petitioners

versus

State of Haryana and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunil Kumar Bhardwaj, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J.

Petitioners No.1 and 2 have approached this Court seeking grant of increment in respect of the service which they have continuously rendered for one year before they superannuated on 30.06.2008 and 30.06.2012 respectively, 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 the respective year 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, 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 where an employee 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 at this stage, the petitioner will be satisfied, in case a time bound direction is issued to the respondents to decide their claim raised in the legal notice dated 12.04.2019 (Annexure P-6).

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 12.04.2019 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 12.04.2019 (Annexure P-6) 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

13.09.2019
aarti

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