

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

(125)

CWP-26189-2019

Date of Decision: September 17, 2019

Lado Devi

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J.(ORAL)

Petitioner has approached this Court seeking grant of the increment for the service, which she had rendered continuously for a period of one year before she superannuated on 30.06.2013.

Counsel for the petitioner states that benefit of the increment has not been allowed to the petitioner on the ground that the increment was to be granted on 1st July of the year in which she retired, whereas, she retired on the last day of the month of June and therefore, though the petitioner completed one year of service but as the petitioner was not in service on relevant date i.e. 01.07.2013, on which she was to be granted the increment, she is not entitled for the benefit of increment.

Counsel for the petitioner contends that the increment is to be granted for the service rendered for the year, which the petitioner rendered prior to her retirement and hence, denial of increment for which she is entitled for is contrary to the law laid down by the judgment of Madras High Court in **W.P. No.15732 of 2017** titled as **'P. Ayyamperumal Vs. The Registrar, Central Administrative Tribunal and others'**, decided on **15.09.2017**, which has been upheld by the Hon'ble Supreme Court of India.

Counsel for the petitioner further states that the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide her claim raised in the legal notice dated 28.04.2019 (Annexure P-6).

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the legal notice dated 28.04.2019 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 28.04.2019 (Annexure P-6) within a period of three months from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to her within three months thereafter.

Present writ petition stands disposed of.

September 17, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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