

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

(140)

CWP-26558-2019

Date of Decision: September 18, 2019

Suresh Kumar

.. Petitioner

Versus

The Punjab State Power Corporation Limited and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. J.S. Jaidka, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Petitioner has approached this Court seeking grant of the increment for the service, which he had rendered continuously for a period of one year before he superannuated on 31.03.2018.

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 April of the year in which he retired, whereas, he retired on the last date of the month of March and therefore, though the petitioner completed one year of service but as the petitioner was not in service on relevant date i.e. 01.04.2018, on which he was to be granted the increment, he 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 his retirement and hence, denial of increment for which he is

entitled for is contrary to the law laid by the judgment of Madras High Court in case **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 for the relief, which has been claimed in the present writ petition, petitioner has submitted a representation dated 10.08.2018 (Annexure P-3) with the respondents, which is still pending consideration and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide his claim as raised in the representation dated 10.08.2018 (Annexure P-3).

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 10.08.2018 (Annexure P-3), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 10.08.2018 (Annexure P-3) 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 representation, the same should also be paid to him within three months thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 18, 2019
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Whether speaking/reasoned: *Yes*
Whether reportable: *No*