

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

(130)

CWP-26983-2019

Date of Decision: September 20, 2019

Ajit Singh Dahiya

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K. Malik, 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 30.06.2014.

Learned counsel for the petitioner states that benefit of the increment has not been allowed on the ground that the increment was to be granted on 01.07.2014 and as the petitioner retired on 30.06.2014 and was not in service on that relevant date, he is not entitled for the benefit of increment.

Learned 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 the 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 attached as Annexure P-4 which has been upheld by the Hon'ble Supreme Court of India.

Learned counsel for the petitioner further states that the petitioner will be satisfied, in case a time bound direction is issued to the respondents to decide his claim raised in the legal notice dated 16.06.2019

(Annexure P-2).

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 legal notice dated 16.06.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 16.06.2019 (Annexure P-2) 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 the monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within three months thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 20, 2019
harsha

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