

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.31389 of 2019

DATE OF DECISION:31.10.2019

Ram Kumar and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parveen Bhardwaj, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioners have approached this Court seeking grant of the increment for the service, which they had rendered continuously for a period of one year before they superannuated.

As per the averments made in the writ petition, benefit of increment has not been allowed to the petitioners on the ground that on the date of grant of increment, they were not in service and had retired and therefore, they have not been granted the benefit of one increment though they had rendered continuous one year service prior to the retirement and hence, denial of increment for which they are entitled is contrary to the law laid down by the Hon'ble 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

From the pleadings, it transpires that for the relief which has been claimed in the present writ petition, petitioners have served the legal notice dated 25.06.2019 (Annexure P-2) which is still pending consideration with the respondents.

Learned counsel for the petitioners states that petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the claim of the petitioners as raised in legal notice dated 25.06.2019 (Annexure P-2).

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 25.06.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 25.06.2019 (Annexure P-2) within a period of three months from the receipt of a certified 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 them within three months thereafter.

Present writ petition stands disposed of.

October 31, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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