

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.33260 of 2019

DATE OF DECISION:18.11.2019

Satpal

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. J.P.S. Sidhu, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner argues that in case the total length of service of the petitioner is counted, the petitioner becomes entitled for additional increment on completion of 32 years of service as the petitioner was initially appointed on 19.09.1966 and retired on 31.05.2000 and, therefore, the petitioner is entitled for the benefit of increment after rendering 32 years of service keeping in view the letter dated 20.11.2003 issued by the department of Local Audit, Punjab.

Counsel for the petitioner is unable to explain as to why the present writ petition is being filed after 19 years of his retirement. No valid justification has been given as to why, in case the petitioner was aggrieved of not getting the benefit of increment after rendering 32 years of service, he did not approach this Court within a reasonable time.

Learned counsel for the petitioner states that for the relief

which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 10.01.2019 (Annexure P-6), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

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 10.01.2019 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 10.01.2019 (Annexure P-6), within a period of three months from the receipt of certified copy of this order.

In case the petitioner is found entitled for the relief as claimed in the legal notice, the arrears will only be given from the date of legal notice i.e. 10.01.2019.

November 18, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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