

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

**(109)**

**CWP-34134-2019**

**Date of Decision: November 22, 2019**

**Chaman Lal Bajaj and others**

**.. Petitioners**

**Versus**

**State of Punjab and others**

**.. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Sanjeev Kumar Arora, 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.

Learned counsel for the petitioners states that the 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 are not entitled for the benefit of one increment though they have rendered continuous one year service prior to the retirement. Learned counsel for the petitioners argues that denial of increment, for the one year service which petitioners had rendered prior to retirement, is contrary to the law laid 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 upheld by the Hon'ble Supreme Court of India.

Learned counsel for the petitioners states that for the relief which has been claimed in the present writ petition, petitioners have served the respondents with a legal notice dated 16.08.2019 (Annexure P-4) which is still pending consideration with the respondents and the 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 16.08.2019 (Annexure P-4).

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 16.08.2019 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 16.08.2019 (Annexure P-4) 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 representation, the same should also be paid to them within three months thereafter.

Present writ petition stands disposed of.

**November 22, 2019**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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