

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

CWP-33925-2019

Date of decision: - 21.11.2019

Om Parkash and others

....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Vikram Sheoran, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance of the petitioners is that before they retired on 1st July of the respective years in which they attained 58 years, they had rendered continuous service for one year, but for the said service, they were not granted the increment on the ground that the increment was to be granted on the 1st July, whereas they had retired on 30th June of the respective years and therefore, on the date when the increment was to be granted, they were not in service.

Learned counsel for the petitioners contends that increment is to be granted for the service rendered for the year which the petitioners have rendered prior to their retirement and hence, denial of increment for which they are entitled for is contrary to the law laid by the judgment of Madras High Court attached as Annexure P-2 which has been upheld by the Hon'ble Supreme Court of India.

Learned counsel for the petitioners further states that petitioners will be satisfied, in case a time bound direction is given to the respondents to decide their claim raised in the legal notice dated 15.12.2018 (Annexure P-1).

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 15.12.2018 (Annexure P-1), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 15.12.2018 (Annexure P-1) within a period of three months from the receipt of copy of this order. In case, it is found that the petitioners are entitled to any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioners within three months thereafter.

However, it is made clear that the arrears will be restricted from the date when the legal notice was issued by the petitioner i.e. 15.12.2018 (Annexure P-1).

Present writ petition stands disposed of.

November 21, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No