

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(114)

CWP No. 35285 of 2019

Date of Decision : 04.12.2019

Rajender Singh Yadav

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rajesh Dhankar, Advocate for
Mr. Vikram Sheoran, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Petitioner has approached this Court with a prayer that the date of grant of increment was 01.07.2008 and the petitioner worked upto 30.06.2008 before he superannuated but the respondents have not granted increment for the period 01.07.2007 to 30.06.2008 on the ground that the increment was to be granted on 01.07.2008, on which date the petitioner was not in service.

Learned counsel for the petitioner contends that the increment is to be granted for the service rendered for a complete year, which the petitioner has rendered prior to his retirement and hence denial of increment for which he is entitled, is contrary to the law laid by the judgment of Madras High Court attached as Annexure P-3, which has been upheld by the

Hon'ble Supreme Court of India.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served the respondents a legal notice dated 12.07.2019 (Annexure P-2), which is still pending consideration and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide his claim as raised in the legal notice dated 12.07.2019 (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 12.07.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 12.07.2019 (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 any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within three months thereafter.

Writ petition stands disposed of accordingly.

December 04, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*