

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(144)

CWP-37403-2019

Date of decision: - 20.12.2019

Din Dayal Goel

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioner has approached this Court seeking grant of the increment for the service, which he had rendered continuously for a period of one year before he superannuated on 30.06.2007.

Counsel for the petitioner states that benefit of the increment has not been allowed to the petitioner on the ground that the increment was to be granted on 1st July of the year in which he retired, whereas, he retired on the last day of the month of June, 2007 and therefore, though the petitioner completed one year of service but as the petitioner was not in service on relevant date i.e. 01.07.2007, on which he was to be granted the increment, he is not entitled for the benefit of increment.

In support of his contentions, petitioner has placed reliance upon a judgment of 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.

From the pleadings, it transpires that for the relief, which has been sought in the present writ petition, petitioner has sent a legal notice dated 17.07.2019 (Annexure P-2), which is still pending consideration with the respondents.

Interest of justice will be served, 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 17.07.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 17.07.2019 (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 him within three months thereafter.

Present writ petition stands disposed of.

December 20, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>