

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

**CWP No.5459 of 2020 (O&M)
Date of decision : February 28, 2020**

Balwant Singh and another **..... Petitioners**

Versus

State of Punjab and others **..... Respondents**

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Pawan Kumar Goklaney, Advocate for the petitioners.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners states that though the petitioners were entitled for the grant of one increment of not participating in the strike dated 08.02.1978, but the said benefit has not been extended to them without any valid justification.

Learned counsel for the petitioner argues that even if, petitioner No.1 and husband of petitioner No.2 were on weekly rest on 08.02.1978 but keeping in view the settled proposition of law, they are entitled for the benefit of the increment along with consequential benefits for not participating in the strike. The prayer of the petitioners is for issuance of a direction to the respondents to consider their claim for the grant of the benefit of the increment along with consequential benefits.

Counsel for the petitioners states that for the relief which has been sought in the present writ petition, petitioners have served legal notices dated 07.07.2019 (Annexures P-3 and P-4) upon the respondents, which are still pending consideration with the respondents and the petitioner will be satisfied, at this stage, if a time bound direction is issued to respondent No.3 to decide the same by passing an appropriate speaking order in accordance with law.

In view of the request made, without expressing any opinion on the merits of the case or on the claim being made by the petitioner, respondent No.3 is directed to decide the legal notices dated 07.07.2019 (Annexures P-3 and P-4), by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

February 28, 2020

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Whether speaking / reasoned

Yes

Whether Reportable:

No