

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

CWP-8952 of 2020

Date of Decision: 01.07.2020.

Luder Ram

....Petitioner

Versus

State of Punjab through its Principal Secretary and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Nitesh Singla, Advocate
for the petitioner.

Mr. TPS Chawla, DAG, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

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.

As per the averments made in the writ petition, benefit of increment has not been allowed to the petitioner on the ground that on the date of grant of increment, he was not in service and had retired, though he had rendered continuous one year service prior to his retirement.

Learned counsel for the petitioner argues that denial of increment for which he is entitled for, is contrary to the law laid down by

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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 petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served respondents with a legal notice dated 16.03.2020 (Annexure P-3), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 16.03.2020 (Annexure P-3) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the representation, the same should also be paid to him within three months thereafter.

Writ petition stands disposed of accordingly.

(LALIT BATRA)
JUDGE

01.07.2020

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