

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

CWP-16252-2020
Date of Decision:-6.10.2020

ASHOK KUMAR CHOPRA

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.S. Jaidka, Advocate
for the petitioner.

(Proceedings conducted through video conferencing).

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner retired on 31.12.2018 upon attaining the age of superannuation i.e. 58 years. Thereafter he got his first extension of service w.e.f. 1.1.2019 to 31.12.2019 and second extension w.e.f. 1.1.2020 to 31.3.2020 and thus retired on 31.3.2020 as Sub-Divisional Officer from E&M Division, Water Resources Department, Shahpur Kandi Dam Project, District Pathankot.

2. It is contended that the petitioner had completed one year of service after grant of last increment which was granted on 1.1.2018 and as such the next increment was virtually due when he superannuated on 31.12.2018 on attaining the age of 58 years. Learned counsel has submitted that in these circumstances the petitioner was entitled to a notional increment and that in fact all his retiral dues i.e. pension etc. are also required to be computed after taking into account aforesaid notional increment. Learned counsel places reliance upon a judgment of Division Bench of Madras High Court i.e. judgment dated 15.9.2017 rendered in *P.Ayyamperumal Vs. The Registrar Central Administrative Tribunal and others* (Annexure P-4) which is stated to have been upheld by Hon'ble Supreme Court. Learned counsel has submitted that although he had moved a representation dated 12.5.2020 (Annexure P-1) before the respondents No.2 & 3 but to no avail.
3. Having heard the learned counsel for the petitioner and without commenting on merits of the case, the petition is disposed of with a direction to State of Punjab through the Principal Secretary Water Resources Department Punjab Civil Secretariat (respondent No.1) to look into the matter and to dispose off the representation dated 12.5.2020 (Annexure P-1) in accordance with law at the earliest, preferably within a period of 3 months from today. In case anything is found due to be paid to petitioner, the same be paid within 3 months thereafter.

(GURVINDER SINGH GILL)
JUDGE

6.10.2020
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No