

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

CWP No.16275 of 2020

Date of decision : October 06, 2020

Sunil Kumar

..... Petitioner

Versus

The State of Punjab and others

..... Respondents

(IN VIRTUAL COURT)

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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

RAJBIR SEHRAWAT, J. (ORAL)

Present petition has been filed seeking a direction to the State to grant the increment to the petitioner and to re-calculate the retiral and other benefits on the ground that the increment was due on the date next to the date of his retirement.

It is submitted by the learned counsel for the petitioner that since the petitioner had already completed one year of service on the date when he retired, therefore, the petitioner is entitled to the increment on account of completion of one year of service after previous increment. The same cannot be denied to the petitioner only because the date of grant of increment was prescribed to be due on the next day. Still further, it is submitted that; at this stage, the petitioner would be satisfied if respondent No.3 is directed to consider the representation at Annexure P-1 and to take a conscious decision thereon.

Notice of motion.

Ms. Sunint Kaur, AAG, Punjab, accepts notice on behalf of the respondents-State.

Learned counsel for the State has submitted that the State is not averse to considering the claim of the petitioner expeditiously.

In view of the above, without commenting upon the merits of the case, the present petition is disposed of with a direction to respondent No.3 to consider the representation at Annexure P-1, made by the petitioner, and to take a conscious decision thereon within a period of three months from today.

It is further ordered that in case, the petitioner is found entitled to any amount on the basis of such consideration, then the said amount shall be released to the petitioner within next two months after the date of the conscious decision. However, if the petitioner is not found entitled to any amount as per such consideration, then the speaking order shall be communicated to the petitioner; within the above said specified time.

Disposed of.

(RAJBIR SEHRAWAT)
JUDGE

October 06, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No