

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH.

(112)

CWP-21289-2020

Date of Decision: December 10, 2020

Manjit Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. P.S. Khurana, Advocate, for the petitioner.

Ms. Ambika Bedi, AAG, Punjab.

**HARSIMRAN SINGH SETHI, J.(ORAL)**

Learned counsel for the petitioner argues that the petitioner had rendered continuous one year service from 01.01.2017 till 31.12.2017, on which date the petitioner retired on attaining the age of superannuation but the annual increment for the said period has not been granted to the petitioner on the ground that the said increment was to be made applicable on 01.01.2018, on which date he had already retired. Learned counsel for the petitioner relies upon the judgment of the Madras High Court in **W.P. No.15732 of 2017 titled as P. Ayyamperumal Vs. The Registrar, Central Administrative Tribunal and others, decided on 15.09.2017** as (Annexure P-5) to contend that the similar relief as claimed by the petitioner, already stands extended by the said judgment, which judgment has also attained finality as the appeal filed before the Hon'ble Supreme Court of India has already been dismissed.

Learned counsel for the petitioner submits that for the relief which has been claimed in the present writ petition, the petitioner has already approached the respondents by serving a legal notice on 10.08.2020 (Annexure P-7), which is still pending consideration with the authorities and the petitioner will be satisfied, at this stage in case a time bound direction is issued to respondent No.2 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Ms. Ambika Bedi, learned Assistant Advocate General, Punjab, who has joined the proceedings through video conference, accepts notice on behalf of the respondents and raises no objection for deciding the legal notice dated 10.08.2020 (Annexure P-7) in a time bound manner 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 10.08.2020 (Annexure P-7), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 10.08.2020 (Annexure P-7) within a period of three months from the receipt of copy of this order.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**December 10, 2020**  
*harsha*

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