

Sr. No.321

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-13224-1996

Date of decision: 05.04.2022

Rattan Lal Sharma and others

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Mr. R.K.S. Brar, Additional A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 1996, for *inter alia* quashing of letters dated 25.04.1996 (Annexures P-2 and P-3) vide which two additional increments granted to the petitioners were ordered to be withdrawn.

Petition was admitted on 27.01.1997.

When called out for hearing, there is no representation on behalf of the petitioners. It seems that by sheer effluxion of time and pendency of the writ petition for more than 25 years before this Court, either it has been rendered infructuous or even otherwise the petitioners seem to have lost interest in pursuing the same.

In any case, it appears that even on merits petitioners' claim of being entitled to two additional increments is not admissible in view of the following stand taken in paras 1 to 4 of the preliminary objections, which are reproduced herein for ready reference:

1. *That the petitioners joined service in various Veterinary Institutions run by the Zila Parishad and Panchayat Smitis and were working directly under the control of these bodies. On the provincialization of the services of the employees of the Zila Parishad/Panchayat Smitis, the petitioners joined the service in the Animal Husbandry Department, Haryana on the following dates:*

- | | |
|--------------------------|------------|
| 1. Sh. Rattan Lal Sharma | 21.09.1979 |
| 2. Sh. Ram Parkash | 01.11.1979 |
| 3. Sh. Jai Pal Singh | 07.02.1980 |

2. *That the State Govt. vide letter No.1/138/92-I PR(FD) dated 07.08.92 (Annexure P-1) introduced a scheme for the Grant of Additional increments to group C and Group D employee who complete 8/18 years service. The petitioners were entitled for this benefit from the date they actually joined the*

Deptt. as this benefit was granted to the employees who have completed 8/18 years service under the State Govt. The Govt. vide letter No.1/191/92-4 PR (FD) dated 14.06.1994 have further clarified this issue. An extract of which is annexed as Annexure R-1. As per this clarification the length of service of the petitioner for the grant of additional increments as per Annexure P-1 was to be counted from the date of their joining service in the department on the above mentioned date and their date of joining in the Department was to be taken in view. But the petitioners were given this benefit by taking in view their date of joining in the respective Panchayat Samitis by mistake. When the matter came before the Accounts Officer he pointed out this irregularity and advised the Sub-Divisional Officer, Animal Husbandry Fatehabad for the recovery of excess amount.

- 3. That the petitioners are entitled for one additional increment instead of two granted to them as they do not complete 18 years Govt. Service on 01.07.1992 which is an established condition for the grant of two additional increments. However, as they complete 8 years Govt. Service on the said date so they are entitled to one increment only.*
- 4. That the petitioner are entitled for the Ist higher standard scale w.e.f. 01.01.1994 on the basis of their completion of 10year Govt. service on the said date and are not eligible for the grant of IInd higher standard scale which is granted to the employees who complete 20 years regular Govt. Service on the said date i.e. 01.01.1994 and the petitioners do not fulfil this basic condition. A clarification No.20 of Govt. Letter No.10/108/94-4 PR (FD) dated 29.12.1995 is referred to in this behalf copy enclosed Annexure R-II.”*

Be that as it may, writ petition is disposed of with liberty to the petitioners to file an appropriate application in case, any cause of action still survives.

05.04.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No