

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(149)

CWP-10800-2022

Date of Decision : May 19, 2022

Pargat Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners argues that in the present case, the petitioners, who were working with the respondent-Department, retired after completing one year of service, which was required for grant of annual increment, but the said period has not been taken into account for the grant of increment to be added in pay of the petitioners for computing their pensionary benefits. Learned counsel for the petitioners submits that the question of law as raised in the present petition has already been decided by this Court while passing judgment in ***CWP-32598-2019, titled as “Gurdev Singh and others Vs. State of Punjab and another”, decided on 16.03.2022.***

Notice of motion.

Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, keeping in view the advance service of the copy of petition, accepts notice on behalf of the State and submits that though the question of law, as

raised in the present petition, has already been decided by this Court in ***Gurdev Singh's case (supra)***, but whether the petitioners have served for a period of one year or not with the respondent-Department before their retirement, as being claimed by learned counsel for the petitioners, is a factual aspect which cannot be replied to at this stage, and therefore, the present petition be disposed of in terms of the order passed by this Court in ***Gurdev Singh's case (supra)***, but with a liberty to the respondents that if the petitioners have not rendered one year regular service with the respondent-Department, as being claimed by them, an appropriate order will be passed by the authorities concerned.

Learned counsel for the petitioners raises no objection for grant of the said liberty to the respondents.

Keeping in view the above, the present petition is disposed of in terms of the order passed in ***Gurdev Singh's case (supra)*** with liberty to the respondents that in case it is found that the petitioners have not worked for a period of one year with the respondent-Department, as being claimed in the present petition, the appropriate order on the said aspect be passed by the authorities concerned, otherwise the benefit for which the petitioners are entitled for be released in their favour.

May 19, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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