

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

**Sr. No.118**

**CWP No.12432 of 2022**

**Date of Decision: 01.06.2022**

Bhavishan Kumar and another

.... Petitioners

Versus

The State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Ms. Gitanjali Chhabra, Advocate for the petitioners.

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

Learned counsel for the petitioners argues that in the present case, petitioner No.1 was working as Science Master with Govt. Senior Secondary School, Issewal, District Ludhiana and petitioner No.2 was working as S.S.Master with Govt. Senior Secondary School, Mauran, Tehsil Sunam, District Sangrur and they were not granted annual increment even though they had served for a period of one year prior to the retirement, i.e. w.e.f. 01.03.2021 to 28.02.2022 in case of petitioner No.1 and w.e.f. 01.07.2004 to 30.06.2005 in case of petitioner No.2, hence the benefit of said increment has not been given and the same was not 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.

Mr. Navdeep Chhabra, Deputy Advocate General, Punjab, keeping in view the advance service of the copy of petition, accepts notice on behalf of the respondents 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 petitioners No.1 and 2 have served for a period of one year, i.e. from 01.03.2021 to 28.02.2022 and w.e.f. 01.07.2004 to 30.06.2005 respectively, or not with the respondent-Department 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 contended by the learned counsel for the petitioners, 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, an appropriate order on the said aspect be passed by the authorities concerned, within a period of eight weeks of passing of this order, otherwise the benefit for which the petitioners are entitled for, be released in their favour.

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

01.06.2022  
Maninder

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