

132

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.14777 of 2022

Date of Decision: 13.07.2022

GURDEV SINGH AND OTHERS

.....Petitioners

Vs

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vikas Chatrath, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

Learned counsel for the petitioners submits that by the date of attaining the age of superannuation, the petitioners have already completed one year of continuous service for the purposes of their eligibility for grant of annual increment as envisaged under Rule 4.7 read with rule 4.9A of the Punjab Civil Services Rules Volume I, Part I. The said period has not been taken into consideration on legal premise.

Learned counsel by relying upon **CWP No.32598 of 2019** titled **'Gurdev Singh and others vs. State of Punjab and another'** decided on 16.03.2022 submits that in the aforesaid cited case, respondents have been directed to grant the benefit

of one notional increment so as to fix last drawn pay of the petitioners therein at the time of their retirement and their pensionary benefits be recalculated on the basis of last drawn pay. The petitioners in that case undertook not to claim the arrears upto the date of filing of their respective petitions and actual benefits of arrears upon re-fixation of their pensions be given to them from the date of filing of the writ petitions.

Notice of motion.

On asking of the Court, Ms. Sunint Kaur, Asstt. A.G., Punjab accepts notice on behalf of the respondents.

In terms of '**Gurdev Singh and others**' case (supra) the factum of completion of one year service by the petitioners with the respondent-Department before their retirement has to be established being on factual premise. **CWP No.10755 of 2022** titled '**Gurbax Singh Khurana vs. State of Punjab and others**' was disposed of on 19.05.2022 in terms of '**Gurdev Singh and others**' case (supra), but with liberty to the respondents that if the petitioners are not found to have rendered one year regular service with respondent-Department, then appropriate order shall be passed.

Keeping in view the order dated 19.05.2022 passed in

Gurbax Singh Khurana's case (supra), this writ petition is also disposed of in the same terms.

July 13, 2022	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No