

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

129

CWP-16684-2022

Date of Decision :01.08.2022

Tej Pal Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anish Batra, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the increment of the petitioner was stopped by the respondent-department without cumulative effect, meaning thereby, the same has to be restored after the completion of punishment prescribed. Learned counsel for the petitioner submits that the petitioner was never restored the withheld increment, which amounted to punishment of stoppage of increment with cumulative effect, which is a major punishment and was not awarded to the petitioner. Learned counsel for the petitioner further submits that the respondents are under an obligation to grant the petitioner the benefit of increment after the expiry of the punishment awarded alongwith the consequential benefits such as, revision of pay as well as pensionary benefits.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of serving a legal notice dated 28.04.2022 (Annexure P/5) upon them, which is still pending for the consideration with the respondents and the petitioner

will be satisfied in case a time bound direction is issued to the respondent No.2 to decide the said legal notice.

Notice of motion.

Mr. Harish Kumar Nain, AAG Haryana, who is present in the Court, accepts notice on behalf of respondents and raises no objection in deciding the legal notice dated 28.04.2022 (Annexure P/5) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in his representation, respondent No.2 is directed to decide the legal notice dated 28.04.2022 (Annexure P/5) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order.

Present writ petition stands disposed of.

August 01, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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