

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

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**CWP-5957-2023 (O&M)
Date of decision: 22.03.2023**

Upander Kumar and others

...Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Jai Singh Yadav, Advocate for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the petition under Article 226/227 of the Constitution of India is for issuance of a writ in the nature of Mandamus directing the respondents to grant the benefit of annual increment in pay for the purpose of retirement benefits, which has become due, as the same was not granted to the petitioners with all consequential benefits including the pensionary benefit as per Sixth Pay Commission.

Learned counsel for the petitioners submits that the petitioners were appointed as Teachers in the Education Department Haryana and now have been retired; that out of all the five petitioners, petitioner No.2 retired on 30.06.2019 and other petitioners retired on 30.06.2022 and that all the petitioners are getting their pensions but the due annual increments have not been granted to them.

After arguing for some time, learned counsel for the petitioners submits that the petitioners have already served a legal notice dated 12.12.2022 (Annexure P-4) upon the respondents, but the same has not been decided by the competent authority. It is further submitted that the petitioners will be satisfied, in case a time bound direction is issued to respondents No.2 to decide the aforesaid legal notice.

Notice of motion to respondent Nos.1 to 4.

On the asking of this Court, Mr. Rajesh Gaur, Addl. AG Haryana, accepts notice on behalf of respondent-State and has no objection in case, the directions for deciding the legal notice aforesaid, are issued.

In view of the above, without expressing any opinion on the merits of the case, respondent No.2-Director, Secondary Education Haryana, is directed to decide the aforesaid legal notice dated 12.12.2022 (Annexure P-4) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

22.03.2023

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No