

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

(119)

**2023:PHHC:121251
CWP-20315-2023
Date of Decision: 14.09.2023**

Naresh Kumar Goyal & others

--Petitioners

Versus

State of Haryana & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE VIKAS BAHL.

Present:- Mr. Sube S. Kaushik, Advocate for petitioners.

Ms. Palika Monga, DAG, Haryana.

VIKAS BAHL.J (Oral)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to refix the pension of all the petitioners by granting to them annual increment in their last year of retirement as all the petitioners are in their last year before retirement and (before their retirement) have completed requisite 6 months or more than 6 months of service as required by the Haryana Civil Service (Pay) Rules, 2016 for grant of annual increment with all consequential benefits.

2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners in the present writ petition, the petitioners had given a legal notice dated 5.7.2023 (Annexure P-7) to various authorities but inadvertently have not given any representation to the Additional Chief Secretary, Administration & Justice, State of Haryana, which is the competent authority to decide the said issue and would give a representation with respect to the pleas raised in the present petition to the said authority and has prayed that the Additional Chief Secretary,

Administration & Justice, State of Haryana may be directed to consider the same in a time bound manner and in case, the pleas raised by the petitioners are found to be meritorious then to grant necessary relief, in accordance with law.

3. Learned State Counsel has submitted that in case any representation is moved by the petitioners, the competent authority would consider the same in accordance with law, as expeditiously as possible preferably within a period of four months from the date of receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority to consider the representation filed by the petitioners, in accordance with law, within a period of four months from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioners are found to be meritorious then the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioners are not meritorious then a speaking order rejecting the same be passed within a period of three months from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and the competent authority would consider the case of the petitioner independently and in accordance with law.

(VIKAS BAHL)
JUDGE

14.09.2023

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No