

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

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**CWP-28354-2022 (O&M)
Date of decision: 16.01.2023**

Kulbhushan Bansal

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gourav Jain, Advocate for the petitioners.

Mr. Rajesh Gaur, Addl. AG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

CM-686-CWP-2023

Application is allowed as prayed for. Annexure P-8 is taken on record. Registry is directed to tag the same at an appropriate place.

Main case:

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 respondent-department to revise the benefit of two advance increments provided to the petitioner on account of acquiring higher qualification i.e. M.E. vide FD Haryana Notification dated 18.10.2011 as per the 7th Pay Commission and to release the same along with arrears w.e.f. 01.01.2016.

Learned counsel for the petitioner submits that the recommendations of 7th Pay Commissioner has been implemented but the benefit of two advance increments is not being given to the petitioner and he also draws the attention of this Court towards the letter issued by respondent

No.2, wherein it has been stated that as per the 7th Pay Commission, no decision has yet received regarding providing the benefit of additional two advance increments on account of acquiring higher education and after receiving order from the Finance Department, information will be sent.

After arguing for some time, learned counsel for the petitioner submits that the petitioner has also submitted a representation dated 28.06.2022 (Annexure P-5) to respondent No.2-Director General, Technical Education Department, Haryana, and that the petitioner will be satisfied, if his said representation is decided by respondent No.2 within a stipulated period.

Notice of motion.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State.

In view of the above, the present petition is disposed of with a direction to respondent No.2-Director General, Technical Education Department, Haryana to decide the representation dated 28.06.2022 (Annexure P-5) within a period of 08 weeks from the date of receipt of certified copy of this order, by passing a speaking order, in accordance with law.

(HARNARESH SINGH GILL)
JUDGE

16.01.2023

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No