

CWP No. 25651 of 2023

2023:PHHC:144654

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(108)

CWP No. 25651 of 2023

Date of Decision : 15.11.2023

Prithvi Raj and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Thakan, Advocate for the petitioners.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioners argues that in the present petition, the claim of the petitioners is for the grant of one annual increment for which the petitioners became entitled for after rendering 12 months of service prior to their retirement, which question of law has already been settled by the Hon'ble Supreme Court of India while passing order in Civil Appeal No. 2471 of 2023, a copy of which has been appended as Annexure P-7. Learned counsel for the petitioners further submits that once the law has already been settled, the petitioners are entitled for the grant of benefit of one annual increment and the consequent revision of their pay for computing the pensionary benefits including the pension.

Learned counsel for the petitioners submits that the petitioners have already raised the said grievance in the legal notice dated 20.08.2023 (Annexure P-9) but the same is still pending consideration

with the respondents and the petitioners will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Pankaj Middha, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 20.08.2023 (Annexure P-9) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision, the petitioners are found entitled for any benefit, the same will be extended to them within a further period of four weeks.

Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

November 15th, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No