

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-28785-2023

Date of Decision: 20.12.2023

JAGAN NATH AND ORS

...Petitioners

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Dr. Rishi Pal Singh Garttan, Advocate for the petitioners.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioners submits that petitioners were not given the increment at the time of their retirement even though they had completed 12 months of services upto the date of their retirement. He further submits that the said question of law has already been settled by the Hon'ble Supreme Court of India in **CA No. 2471 of 2023 titled The Director (Admn & HR) KPTCL and others Vs. C.P. Mundinamani and others decided on 11.04.2023.**

2. Learned counsel for the petitioner further submits that keeping in view the settled principle of law, the petitioners are entitled for the grant of one increment while fixing the pensionary benefits.

3. Learned counsel for the petitioners further submits that the petitioners have already raised the said grievance in the representation dated 15.09.2023 (Annexure P-5) 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.

2. Notice of motion.

3. 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 representation 15.09.2023 (Annexure P-5) 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 petitioner is found entitled for any benefit, the same will be extended to him within a further period of four weeks.

4. Learned counsel for the petitioner 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.

5. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
(JUDGE)

20.12.2023

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