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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(105)

CWP No. 1234-2024
Decided on : 20.01.2024

Suresh Sharma and another . . .Petitioners

Versus

State of Haryana and another . . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Sonak, Advocate for
Mr. Deepak Sonak, Advocate for the petitioners.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Harsimran Singh Sethi, J.(Oral)

1. Learned counsel for the petitioners submits that keeping in view the judgment passed by the Hon'ble Supreme Court of India in case titled as **'The Director (Admn. And HR) KPTCL & Others v. C. P. Mundinamani & Others', AIR 2023 SC 1956**, copy of which has been appended as Annexure P-3, once the petitioners have completed 12 months of service before their retirement, they are entitled for the benefit of one increment, which has not been given to them by the respondents-department and such action on the part of the respondents-department is causing prejudice to the petitioners.
2. Learned counsel for the petitioners submits that the petitioners have already raised the said grievance in the Legal Notice dated 18.09.2023 (Annexure P-6) 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.

3. Notice of motion.

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4. On the asking of the Court, Mr. Saurabh Mohunta, learned Deputy 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 18.09.2023 (Annexure P-6) 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** from the date 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**.

5. 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.

6. Ordered accordingly.

January 20th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No