

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208(5)	CWP-15006-1998 (O&M) Date of Decision: 08.04.2024
1) Hem Raj Sharma and another	...Petitioners
Versus	
State of Punjab and others	...Respondents
2) Harbans Singh and another	CWP-14970 of 1998
	...Petitioners
Versus	
State of Punjab and others	...Respondents
3) Tilak Raj and others	CWP-16350 of 1998
	...Petitioners
Versus	
State of Punjab and others	... Respondents
4) Krishan Lal and others	CWP-17778 of 1998
	...Petitioners
Versus	
State of Punjab and another	...Respondents
5) Kartar Singh and others	CWP-1999 of 1999
	...Petitioners
Versus	
State of Punjab and others	...Respondents

CORAM: HON’BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Surinder Garg, Advocate,
for the petitioners in CWP-15006 & 14970-1998.

Mr. A.P.S. Sidhu, Advocate,
for the petitioners (in remaining three cases).

Mr. Charanpreet Singh, AAG, Punjab

AMAN CHAUDHARY, J. (Oral)

1. These cases involve similar issues and therefore, are being disposed of together by this common judgment.
2. The prayer made by the petitioners is for quashing the Clause 8 of the Instructions dated 01.12.1988, Annexure P-1 and further directing the respondents to grant them two increments instead of one on the promotion to a higher post after having got one or two proficiency step ups.
3. Learned counsel submit that the petitioners were working on the posts of Teachers/Masters/Mistresses with the Punjab Education Department between 01.01.1986 to 13.09.1988. Rule 8 of the Punjab Civil Services (Revised Pay) Rules, 1998 subsequently made effective from 01.01.1986 was read down by this Court in CWP-15523-1990, **Shri GS Grewal vs. State of Punjab and another**, decided on 16.11.1992, Annexure P-4, so as to give benefit of granting two increments to all employees who were promoted after the Rules came into force, irrespective of whether their promotion was before or after date of said promulgation. Following clarification made to the Rule, a legal notice was served by the petitioners for grant of two increments on account of their promotion. They thus, at this stage, on instructions, submit that the petitioners would be satisfied, in case, their claim is directed to be decided in a time bound manner keeping in view the aforesaid judgment.
4. Learned State counsel has no objection to the limited prayer made.
5. In view of the above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to the respondents to

period of four months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress thereupon.

6. A photocopy of this order be placed on the files of the connected cases.

April 08, 2024
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(AMAN CHAUDHARY)
JUDGE

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