

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Sr. No. 215)

(1) CWP-4835-2020
Date of Decision : 25.01.2024

Kulbir Singh and others
...Petitioners

Versus

State of Haryana and others
...Respondents

(2) CWP-6261-2020

Rajesh Kumar and others
...Petitioners

Versus

State of Haryana and others
...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R. N. Lohan, Advocate for the petitioners.
Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

In the present petitions, the grievance of the petitioners is that the action of the respondents in denying them the benefit of annual increment after one year of their initial appointment is bad, hence the order dated 13.12.2019 (Annexure P-27) is liable to be set-aside.

Learned counsel for the petitioners submits that keeping in view reply given, in paragraph 3, it has already been stated that the

benefit of regular pay scale has already been given to the petitioner from the date of appointment and the arrears have been given from 01.04.2023 in compliance of the judgment of the Hon'ble Supreme Court of India passed in **Civil Appeal Nos. 7391-95 of 2013, dated 31.01.2017** and the present petitions have already been rendered infructuous.

Learned counsel for the petitioners further submits that as per his information though the pay-scale has been given but the petitioners have not been granted the benefit of increment upon the grant of regular pay-scale from the date of their initial appointment.

Learned counsel for the respondents submits that once the regular pay-scale has been given to the petitioners from the date of their initial appointment, it cannot be said that the benefit of increment has not been given to the petitioners. Learned counsel for the respondents further submits that in case the petitioners have not got any increment, let them file a representation with the authorities concerned raising the said claim and in case, any such representation is received from the petitioners for consideration of their claim regarding increment, an appropriate consideration will be given to the said claim of the petitioners and an appropriate speaking order will be passed within a period of **08 weeks** from the date of receipt of any such claim from the petitioners and in case, after the decision, the petitioners are found entitled for any benefit including interest, the same will be extended to them within a further period of **four weeks** and in case the benefit of increment has already

been extended to the petitioners, an appropriate detailed order will be passed for the information and consideration of the petitioners.

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 with liberty to file a representation with respondents so as to raise all the claims as raised in the present petition.

Ordered accordingly.

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

January 25th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No