



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CWP-9608 of 2024 (O&M)
Date of Decision:21.05.2024

Sat Bhama

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. R. S. Sohi, Advocate,
for the petitioner.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant the yearly increments to the petitioner alongwith other consequential reliefs.

2. Learned counsel for the petitioner submits that as per condition No.7 of the appointment letter dated 26.05.2001, the petitioner would be granted the annual increment only on having passed Punjabi type test in one year as per Instructions dated 23.12.2011, Annexure P-1. However, a sympathetic approach had been adopted with regard to those Clerks appointed on compassionate grounds whose annual increments have been stopped on account of non-passing of the typing test, it was decided that on completion of prescribed computer typing training from Information and

Technology Department and they would be given exemption from typing test till the issuance of this letter. The petitioner successfully completed the training in the year 2018 in terms of the aforesaid however he has still not been granted the annual increments. In this regard, legal notice dated 20.02.2024, Annexure P-5, has been submitted by him, which has yet not evoked any response. He, on instructions, submits that the petitioner would be satisfied if legal notice is directed to be decided in a time bound manner.

3. Notice of motion.
4. Mr. Manipal Singh Atwal, DAG, Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made by learned counsel for the petitioner.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide legal notice dated 20.02.2024, Annexure P-5, within a period of six 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 him, and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same shall contain reasons and the petitioner shall be free to seek legal redress.

(AMAN CHAUDHARY)
JUDGE

May 21, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No