



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

107

CWP-10888-2024

Date of Decision: May 10, 2024

Manphool Singh and others

.....Petitioner(s)

Vs.

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr.Sandeep Panwar, Advocate
for the petitioner(s).

Ms.Tanisha Peshawaria, DAG, Haryana

SANJEEV PRAKASH SHARMA.J. (ORAL)

Learned counsel for the petitioners submits that the issue challenged in the present writ petition is squarely covered by the judgment passed by this Court in *CWP No.8364-2024*, titled as '*Suresh Kumar Singla and others Vs. State of Haryana and others*' and submits that he had served legal notice on behalf of the petitioners to the respondents to decide the case relating to the petitioners and granting them same increment as they had also retired during that period. He further prays that the respondents be directed to decide the legal notice served upon them, by passing a speaking order.

2. Notice of motion.

3. Ms. Tanisha Peshawaria, DAG, Haryana, accepts notice on behalf of the respondents-State and does not object to the course as prayed for.



4. We find that in **Suresh Kumar Singla's** case (*supra*), this Court had passed the following order:-

“9. We therefore, read down the Rule 10 of the Rules, 2008 to mean that one annual increment would be earned to an employee on the last day of his service, for the services rendered by him in the preceding one year from the date of retirement with good behaviour and efficiency. Accordingly, the 'uniform date of annual increment' mentioned in Rule 10 would mean completion of the year as on 1" of July of every year and 1" of January of a year.

*10. Petitioners No. 1 and 2 have retired on 30th of June of the concerned year, while petitioners No.3, 4 and 5 have retired on 31" of March Annual increment is to be granted to an employee on account of his past service of 12 months. The Rule also provides that if a person has rendered more than six months, he would be deemed to have completed 12 months of service for the purpose of grant of increment. Since the petitioners, who retired on 31 of March of the concerned year, have completed 09 months of service in a year, they were entitled to receive the benefit of increment for one year. Having reached to the aforesaid finding, we find that the case of the persons who have retired on 31 of March of the year would also be entitled for the benefit in terms of the judgment passed in the case of Director (Administration and HR) KPTCL and others (*supra*).*

11. The writ petition is accordingly allowed as above.”

5. The respondents may examine the case of the petitioners in terms of the legal notice and decide the same by passing a speaking order. If the petitioner



is entitled for any relief, the same shall be granted to them as in the case of *Suresh Kumar Singla’s* case (*supra*).

- 6. Said exercise shall be completed within a period of two months.
- 7. With the aforesaid observations, the present writ petition is disposed of.
- 8. All pending applications, if any, stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

May 10, 2024
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Whether speaking/reasoned: Yes / No
Whether reportable: Yes / No