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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-15185-2024(O&M)
Date of decision: 08.07.2024

Ram Kumar @ Ramkanwar and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. V.D. Sharma, Advocate, for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents to grant the benefit of one increment on completion of 12 months of service on the day of retirement i.e on 1st July in the light of settled proposition of law as per judgment of Hon'ble Supreme Court in Civil Appeal No.2471 of 2023, titled as 'The Director (Admin & HR) KPTCL and others Vs. C.P. Mundinamani and others, decided on 11.04.2023 (Annexure P-2) on the basis of which the benefit has already been given to the other similarly situated persons vide order dated 07.02.2024 (Annexure P-4) with all consequential benefits i.e. revision of pension and all pensionary benefits alongwith arrears with interest @ 12% per annum from due date till payment.



2. Learned counsel for the petitioner submitted that the petitioners had served a legal notice dated 30.05.2024 (Annexure P-6) to respondents No.2 and 3 but the same has not been considered and decided till date. He further submitted that at this stage, he will be satisfied in case the aforesaid legal notice dated 30.05.2024 (Annexure P-6) is considered and decided by respondents No.2 and 3 in accordance with law and in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Ms. Rajni Gupta, Additional Advocate General, Haryana accepts notice on behalf of all the respondents. She submitted that in view of the limited prayer made by learned counsel for the petitioners, she has no objection in case time bound direction is issued in this regard.

5. In view of the aforesaid facts and circumstances, without calling for reply from the respondents and without expressing anything on the merits of the case, the present writ petition is disposed of with a direction to respondent No.2 and 3 to consider and decide the legal notice dated 30.05.2024 (Annexure P-6) strictly in accordance with law and within a period of three months from today.

(JASGURPREET SINGH PURI)
JUDGE

08.07.2024
rakesh

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