



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

228

CWP-17763-2020 (O&M)
Date of decision: 06.08.2024

Ram Kumar and Others

....Petitioners

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Virender Kumar, Advocate for the petitioners

Mr. Dushyant Saharan, AAG Haryana

AMAN CHAUDHARY. J. (ORAL)

1. The present petition has been filed for quashing the impugned letter dated 15.09.2020 issued by respondent No.2, vide which claim of the petitioners for grant of annual periodical increment due to them w.e.f. 01.07.2020 onwards has been rejected.

2. Learned counsel submits that the petitioners have not been granted annual periodical increments w.e.f. 01.07.2020 only on the ground that the Departmental exam was not cleared by them. He makes a reference to the averments made in para 8 of the petition, wherein it has been stated that similarly situated employees namely Ram Phal, Satbir Singh, Randhir Singh and Ram Kumar have been granted relaxation in terms of the 3rd Proviso of Rule (3) of Punjab Jails Department State Service (Class-III Executive) Rules, 1963 vide orders dated 07.01.2017 and 31.01.2017, Annexure P-8 and P-9 respectively, however, the petitioners are being discriminated. He thus, at this stage, on instructions from the petitioner states that a direction is given to the respondents to

reconsider their case in light of the aforesaid facts in a time bound manner by granting them an opportunity of hearing.

3. Learned State counsel faced with above, submits that the respondents would not be averse to have a relook at the matter.

4. 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 decide and reconsider the matter, taking note of the aforesaid submissions within a period of 6 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.

(AMAN CHAUDHARY)
JUDGE

06.08.2024
M.Kamra

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