



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-15802-2024(O&M)
Date of decision: 19.07.2024

Ashok Kumar Arora ...Petitioner
Versus
State of Haryana and anotherRespondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Naveen Daryal, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J.

Present writ petition under Articles 226/227 of the Constitution for issuance of writ in the nature of *mandamus* directing respondents to grant one notional annual increment to the petitioners on 1st July of respective year(s).

(2) This Court on 12.07.2024 passed the following order:-

*“Learned District & Sessions Judge, Karnal (respondent No.2) is requested to apprise the fate of Legal Notice dated 29.04.2024 (P-5).
Posted for 19.07.2024.
It is clarified that there is no formal notice of motion in this case.”*

(3) Today in response to above order, a Communication dated 19.07.2024 has been received from learned District and Sessions Judge, Karnal, which is taken on record and marked as ‘X’.

Registry to do the needful.

(4) For reference, the operative part of above Communication is reproduced herein-under:-

“I have the honour to submit that as reported by the office of the undersigned, no Legal Notice dated 29.04.2024, as mentioned in the Hon'ble High Court order dated 12.07.2024, passed in the subject cited writ petition, has been received in this office. The requisite details of the petitioner Shri Ashok Kumar



Arora, Stenographer Gr.I (Retd.), as submitted by the Accounts Branch of this office is as under:

Date of Birth	Date of Joining	Date of Retirement	Date of increment due.
15.04.1961	08.07.1982 (F.N.)	30.04.2019	01.07.2019

It has been further submitted by the Accounts Branch of this office that as per Note under Rule 29(4) of HCS (Pay) Rules, 2016 “No benefit of increment shall be admissible to a Government employee who is not in service on the 1st January or 1st July, as the case may be”.

(5) Perusal of the aforesaid extract clearly reveals that till date, no Legal Notice at the instance of petitioner has been received in the Office of District and Sessions Judge, Karnal; thus, apparently, petitioner has tried to mislead the Court.

(6) In view of the above, this Court was going to dismiss the petition with costs, only on that count.

(7) Faced with the predicament, learned counsel for the petitioners, on instructions, wishes to withdraw the petition at this stage, unconditionally.

(8) Ordered accordingly.

Pending application(s), if any, shall also stand disposed off.

19.07.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No