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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16009-2024(O&M)
Date of decision: 16.07.2024

Sajjan Kumar Goyal (S.K. Goyal)

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. B.K. Bagri, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents that after the Rule 10 of the HCS (RP) Rules, 2008 dated 30.12.2008 (Annexure P-1) has already been quashed by this Court in CWP No.14857 of 2023, titled Jagdish Raj Gupta versus State of Haryana and others vide order dated 15.04.2024 (Annexure P-7) to the extent that it provides for Uniform Date of Increment i.e. 1st of July of every year one annual increment to the petitioner despite that the petitioner has not been granted annual increment in the last year of his service preceding his retirement despite the fact that he has completed the requisite period of service of 6 months or more as required by an employee to earn annual increment as per the aforesaid Rules in his retiring year with a further prayer to direct the respondents to refix the pension of the petitioner by granting him annual increment in his last year



of service i.e 2015 as before his retirement he has completed the requisite period of 6 months or more than 6 months of service required for grant of annual increment with all the consequential benefits and arrears of pay and pension etc. alongwith interest @ 12% per annum.

2. Learned counsel for the petitioner submitted that the petitioner had served a legal notice dated 10.06.2024 (Annexure P-6) to the respondents 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 10.06.2024 (Annexure P-6) is considered and decided by the respondents in accordance with law and in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Gaurav Jindal, Additional Advocate General, Haryana accepts notice on behalf of all the respondents. He submitted that in view of the limited prayer made by learned counsel for the petitioner, he 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/competent authority to consider and decide the legal notice dated 10.06.2024 (Annexure P-6) strictly in accordance with law and within a period of three months from today.

(JASGURPREET SINGH PURI)

JUDGE

16.07.2024

rakesh

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