



IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 108

CWP No.17062 of 2024
Date of Decision: 24.07.2024

Ashwani Kumar Sharma

..... PETITIONER(S)

VERSUS

State of Haryana and others

..... RESPONDENT(S)

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

PRESENT: - Mr. Shubham Gupta, Advocate for the petitioner.

Mr.R.S.Budhwar, Addl.AG Haryana.

Tribhuvan Dahiya, J (Oral)

1. This petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to re-fix the petitioner's pension by granting him benefit of annual increment in the last year of retirement.

2. Learned counsel for the petitioner contends that the petitioner had completed one year satisfactory service prior to his retirement, and became entitled to one annual increment on that basis. The law in this regard stands settled by the Supreme Court in *The Director (Admn, and HR) KPTCL and others v. C.P.Mundinamani and others*, 2023 SCC Online SC 401, and this Court in CWP No. 8364 of 2024, *Suresh Kumar Singla and others v. State of Haryana and others*, decided on 16.04.2024. Still, the petitioner's claim has not been considered, nor their legal notice, dated 14.06.2024, Annexure P-4, been decided so far.

3. Notice of motion.

4. Mr. R.S. Budhwar, Additional Advocate General, Haryana, accepts notice and submits that the pending legal notice, dated 14.06.2024,



will be decided by respondent No.3 expeditiously keeping in view the law laid down in the aforementioned cases.

5. In view thereof, without going into the merits of the case, the petition is disposed of with a direction to respondent No.3-Director, School Education, to consider and decide the pending legal notice, dated 14.06.2024, in the light of the judgments mentioned above by passing a speaking order thereupon, within a period of three months from receiving a certified copy of this order.

(Tribhuvan Dahiya)
Judge

July 24, 2024
Meenu

<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>