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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16841-2024

Date of decision: 22.07.2024

ASHOK KUMAR GUPTA AND OTHERS

...Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

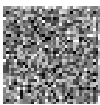
...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Chandra Sekhar, Advocate
for the petitioners.

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 to grant the benefit of one increment to the petitioners on completion of more than six months of service before 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 (Admn. And HR) KPTCL and others versus C. P. Mundinamani* and others, decided on 11.04.2023 (Annexure P-2) and judgment of this Court dated 15.04.2024 (Annexure P-3) on the basis of which the benefit has already been given to other similarly situated persons vide order dated 07.02.2024 (Annexure P-4) along with all consequential benefits with interest @ 18% per annum from the date due till payment.



2. Learned counsel for the petitioners submitted that the petitioners had served a legal notice dated 27.02.2024 (Annexure P-5) to respondents No.2 to 6 but the same has not been considered and decided till date. He further submitted that at this stage, the petitioners will be satisfied in case the aforesaid legal notice dated 27.02.2024 (Annexure P-5) is considered and decided by respondents No.2 to 6 in accordance with law and in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Ms. Rajni Gupta, Addl. A.G., 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 a time bound direction is issued in this regard.

5. In view of the aforesaid facts and circumstances, without calling for the 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 respondents No.2 to 6/competent authority to consider and decide the legal notice dated 27.02.2024 (Annexure P-5) strictly in accordance with law and within a period of three months from today.

22.07.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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