



IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 120

CWP No.16995 of 2024
Date of Decision: 23.07.2024

Om Parkash Arora and others

..... PETITIONER(S)

VERSUS

State of Haryana and others

..... RESPONDENT(S)

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

PRESENT: - Mr. Nitesh Singla, Advocate for the petitioners.

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 petitioners' pension by granting them benefit of annual increment in the last year of retirement.

2. Learned counsel for the petitioners contends that in the last year before retirement, the petitioners had completed the requisite six months or more of satisfactory service and became entitled to one annual increment on that basis in terms of the Rules. 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 petitioners' claim has not been considered, nor their legal notice, dated 26.04.2024, Annexure P-12 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 26.04.2024, 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 General, Higher Education, to consider and decide the pending legal notice, dated 26.04.2024, 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 23, 2024
Meenu

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