

119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-18444-2024
Date of decision: 05.08.2024

RAJBIR SINGH AND ORS.

...Petitioners

VERSUS

STATE OF HARYANA AND ORS.

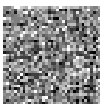
...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Geeta Rani, 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 one annual increment to the petitioners as the same has not been granted to them in the last year of their service preceding their retirement despite the fact that they have completed requisite 6 months or more of service required by an employee as the Rule 10 of the HCS (RP) Rules 2008 dated 30.12.2008 has since been quashed by this Court in CWP-14857-2023, titled as *Jagdish Raj Gupta versus State of Haryana and others* dated 15.04.2024 (Annexure P-16) and further to direct the respondents to re-fix the pension of the petitioners by granting them annual increment in their last retiring year i.e. 2015 as before their retirement the petitioners have completed requisite 6 months or more than 6 months of service for grant of annual increment with all consequential benefits of arrears of pay and pension etc. along with interest @ 12% per annum.



2. Learned counsel for the petitioners submitted that the petitioners No.8 and 9 and petitioners No.1 to 7 and 10 to 12 had served legal notices dated 20.06.2024 (Annexure P-15 and Annexure P-15/A) to respondents No.1, 2, 6 and 7 and respondents No.1 to 5, respectively but the same have 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 20.06.2024 (Annexure P-15 and Annexure P-15/A) are considered and decided by the aforesaid respondents 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 respondent No.4/respondent No.6/competent authority to consider and decide the legal notices dated 20.06.2024 (Annexure P-15 and Annexure P-15/A) strictly in accordance with law and within a period of three months from today.

05.08.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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