



CWP-19060-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-19060-2024

Date of Decision: 08.08.2024

Radhe Shyam Sharma and others

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Sourabh Sheoran, Advocate for the petitioners

Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The 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 of retirement, the petitioners have completed the requisite six months or more of satisfactory service, 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, titled *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 has their representation/legal notice, dated 10.06.2024, Annexure P-10, been decided so far.



3. Notice of motion.
4. Ms. Tanushree Gupta, DAG, Haryana, accepts notice on behalf of the respondents and submits that the pending representation/legal notice, dated 10.06.2024, will be decided expeditiously by respondent No.4, keeping in view the law laid down in *C.P.Mundinamani* case (*supra*) and *Suresh Kumar Singla* case (*supra*).
5. In view thereof, without going into the merits of the case, the petition is disposed of with a direction to respondent No.4-Director, Elementary Education, to consider and decide the pending representation/legal notice, dated 10.06.2024, in the light of the judgments mentioned above by passing a speaking order thereupon, within a period of three months of receiving a certified copy of this order.

(TRIBHUVAN DAHIYA)
JUDGE

08.08.2024
Payal

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