



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.107

CWP-21209-2024
Date of Decision: 24.09.2024

Manohar Lal and others
State of Haryana and others

Versus

.... Petitioners
... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Manan Kheterpal, Advocate for the petitioners

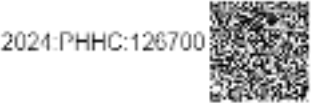
TRIBHUVAN DAHIYA, J. (ORAL)

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 the petitioners had completed one year satisfactory service prior to their 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. Learned counsel further contends that at this stage, the petitioners will be satisfied in case they are permitted to make fresh representation(s) before the concerned respondent(s) raising the grievance as has been raised in this petition, and the same may be ordered to be decided within a specified period in terms of the aforementioned settled law.

3. Notice of motion.

4. Ms. Tanushree Gupta, Deputy Advocate General, Haryana, accepts notice and submits that in case any representation is filed by the



petitioners within three weeks from today, the same will be decided by the concerned respondent no.2 & 3-Directorate of Elementary/Secondary Education, as the case may be, by passing a speaking order thereupon within three months of receiving the representation, keeping in view the law laid down in *C.P.Mundinamani* case (*supra*), as well as the directions issued by the Supreme Court vide interim order, dated 06.09.2024, passed in SLP (C) No.4722 of 2021, that, *‘The judgment dated 11.04.2023 will be given effect to in case of third parties from the date of the judgment, that is, the pension by taking into account one increment will be payable on and after 01.05.2023. Enhanced pension for the period prior to 31.04.2023 will not be paid’.*

5. In view of the statement made, learned counsel for the petitioners has no objection to the petition being disposed of in terms thereof.

6. Ordered accordingly.

(TRIBHUVAN DAHIYA)
JUDGE

24.09.2024
Payal

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