

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

Sr. No.: 121

Civil Writ Petition No.22260 of 2024**Date of Decision: September 05, 2024**Bharpai Devi

..... PETITIONER(S)

*VERSUS*State of Haryana & others

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**PRESENT:** - Mr. Surinder Gaur, Advocate, for the petitioner.**Tribhuvan Dahiya, J (Oral)**

The petition has been filed seeking a writ of *mandamus* directing the respondents to re-fix the petitioners' pension by granting her benefit of annual increment in the last year of retirement.

2. Learned counsel for the petitioner contends that in the last year of retirement, the petitioner has 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 petitioner's claim has not been considered, nor has her legal notice, dated 04.08.2024, Annexure P-3, been decided so far.

3. Notice of motion.

4. Ms. Tanushree Gupta, Deputy Advocate General, Haryana., accepts notice on behalf of the respondents and submits that the pending legal notice, dated 04.08.2024, will be decided expeditiously by the second



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respondent, keeping in view the law laid down in *C.P.Mundinamani* case (*supra*) and *Suresh Kumar Singla* case (*supra*), by passing a speaking order thereupon within three months.

5. In view thereof, without going into the merits of the case, the petition is disposed of with a direction to second respondent-Director, Elementary Education, to consider and decide the pending legal notice, dated 04.08.2024, 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

September 05, 2024
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No