

CWP-22976 of 2024

2024:PHHC:110237



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

CWP-22976 of 2024

Date of decision: 11.09.2024

Dharminder Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: - Mr. Virender K. Shukla, Advocate,  
and Mr. Ashish Gupta, Advocate,  
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., Punjab,  
for respondents No.1 and 2.

**NAMIT KUMAR, J. (ORAL)**

1. Present petition has been filed under Article 226 of the Constitution of India praying for issuance of writ in the nature of *mandamus* directing the respondents to grant annual grade increments to the petitioner after his promotion as Cooperative Education Instructor vide order dated 13.10.2016 (Annexure P-1) w.e.f. 01.06.2017, 01.06.2018, 01.06.2019, 01.06.2020, 01.06.2021, 01.06.2022 and 01.06.2023 and to fix his pay accordingly and to give him the consequent arrears of pay along with interest thereon @ 12% per annum.

2. Learned counsel for the petitioner submits that no annual increment has been granted to the petitioner on his promotion to the post of Cooperative Education Instructor. For claiming the said benefit of increment, petitioner has submitted various representations such as

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representations dated 31.12.2021 and 01.02.2024 followed by justice demand notice dated 16.07.2024 (Annexure P-5). However, neither the annual increments have been granted nor the representations/justice demand notice have been replied to. He submits that at this stage, petitioner would be satisfied, if the justice demand notice dated 16.07.2024 (Annexure P-5) is considered and decided by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of respondents No.1 and 2 and has no objection to the prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.3 is directed to consider and decide the claim made by the petitioner in justice demand notice dated 16.07.2024 (Annexure P-5) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order.

7. The petition stands disposed of.

11.09.2024  
R.S.

(NAMIT KUMAR)  
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No