



CWP-6258-2025

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

130

CWP-6258-2025

Date of Decision: 05.03.2025

Subhash Chand

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. L.K. Gollen, Advocate for the petitioner

Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

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

2. Learned counsel for the petitioner contends that the petitioner had completed one year satisfactory service prior to his 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. Still, the petitioner's claim has not been considered, nor has his representation, dated 21.09.2024, Annexure P-1, 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, dated 21.09.2024, will be decided by respondent no.2-Director General, Secondary Education, by passing a speaking order thereupon within three months, 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 30.04.2023 will not be paid*’.

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

6. Ordered accordingly.

(TRIBHUVAN DAHIYA)
JUDGE

05.03.2025
Payal

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