



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

204-2

CWP-8549-2003

Date of Decision: 27.10.2025

RAM CHANDER SHARMA

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Rahil Mahajan, Advocate for the petitioner

Mr. Ravi Partap Singh, DAG Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 10.05.2002 whereby respondent has withdrawn his two additional increments.

2. The impugned order dated 10.05.2002 reads as:-

“Shri Ram Chander Assistant (retired) while posted in this office was granted additional increments on completion of 8 and 18 years service vide this office order No. 32757 dated 14.12.1992 The Director General of Police, Haryana vide his office Memo No. 4681/E(II)-4 dated 11.3.2002 enquired from this office as to whether certificate of regular satisfactory service was got issued from the PHQ. before granting him additional increments. In response to above communication this office reported to the Director General of Police, Haryana that no certificate of regular satisfactory service was obtained from PHQ

before granting him additional increments vide this office Memo No. 5003/A-2 dated 13.3.2002. The Director General of Police, Haryana vide his Memo No. 5550/E(II)-4, dated 21-03.2002 has desired that in view of questionable integrity in his ACR for the period from 11-5-1991 to 31-03-1992, the benefits of additional increments granted on completion of 8 and 18 years service granted to him w.e.f. 01-07-1992 may be withdrawn after completing the codal formalities.

In compliance of the direction given by the DGP/Haryana, Shri Ram Chander Assistant (Retd.) was served with a show cause notice vide this office No. 7701/A-2 dated 15-04.2002 proposing that why the benefit of additional increments granted on completion of 8 and 18 years service from the PHQ. should not be withdrawn.

Shri Ram Chander Assistant (retd.) submitted his reply to the show cause notice on 22-04-2002. He was also given a personal hearing on 22-05.-2002. After considering his reply to the show cause notice as well as the submissions made by him during personal hearing, I am of the view that the benefits of additional increments on completion of 8 and 18 years service w.e.f. 01-07-1992 were wrongly given to Shri Ram Chander Assistant (retd.). As such, the order granting the benefit of additional increments passed vide this office order No. 32757 dated 14-12-1992 are hereby withdrawn with immediate effect. As and when, the official (retd.) would submit his pension papers to this office, the benefits of additional increments granted to him, shall be recovered from the amount of gratuity etc. A copy of this order be supplied to Shri Ram Chander Asstt. (retd.) free of cost.

Sd/-10/5

*Inspector General of
Police'*

3. Learned State counsel expressed his inability to controvert that benefit of additional increments already granted could not be withdrawn retrospectively especially after ten years from the date of extending benefit. He further submits that benefit was granted inadvertently, thus, authorities were competent to withdraw from prospective date.

4. Learned counsel for the petitioner submits that petitioner was granted benefit as per Government Instructions dated 07.08.1992. As per said instructions, additional increments which have become due before 01.07.1992 had to be granted under Old Scheme. The respondent did not consider petitioner's claim under Old Scheme. He may not be entitled to additional increments as per New Scheme, however, he was entitled as per Old Scheme.

5. Faced with this, learned State counsel submits that competent authority would consider claim of petitioner as per old scheme and if he is found entitled, he would be extended benefit of old scheme from the date of impugned order.

6. In the wake of statement of both sides, petition stands disposed of with a further direction to respondent to refund amount, if any, already recovered with respect to retrospective withdrawal of additional increments. The needful shall be done within three months from today. If respondent refunds due amount within aforesaid period, there would no liability of interest otherwise respondent would be liable to pay interest @ 9% p.a. on the expiry of said period.

7. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

October 27, 2025
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No