



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-16325-2020 (O&M)

Date of decision: 24.07.2025

Kapil

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Ms. Anjali Sheoran, Advocate for the petitioner(s).

Mr. Vivek Chauhan, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant writ petition has been filed in view of the order whereby the benefit of increment was ordered to be withdrawn on account of the petitioner having failed to qualify the SETC Test.

2. Learned counsel appearing on behalf of the petitioner contends that presently the grievance of the petitioner is limited only to the extent that despite the petitioner having cleared the SETC Test, subsequently, the benefit of A.C.P. and other consequential benefits including increments have not been restored, solely on the grounds of pendency of the instant writ petition.

3. Counsel for the respondent-State fairly admits that in case the aforesaid restoration of the increments has not been done already, the needful shall be done within a period of two months and the benefits to which the petitioner is entitled to in accordance with law including the



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A.C.P. and other benefits would be released in a time bound manner. He undertakes that the necessary exercise and release of the benefits shall be completed within a period of two months of receipt of a certified copy of this order.

4. In view of the above statement, the present petition is disposed of as having been rendered infructuous to the said extent. The respondents shall remain bound by the undertaking given in the Court and also adhere to the timeline aforesaid.

5. It is further ordered that the benefit of increment(s), that had been released to the petitioner at the relevant point in time on account of the petitioner having fulfilled one of the conditions of promotion i.e. having qualified the type test, was released in the due course and without there being any concealment or fraud committed by the petitioner.

6. The recovery of the excess amount so paid to the petitioner is thus **set aside** in view of the judgment of the Hon'ble Supreme Court in the matter of **State of Punjab and others Vs. Rafiq Masih (White Washer)** reported as **(2015) 4 SCC 334**.

(VINOD S. BHARDWAJ)
JUDGE

24.07.2025

Mangal Singh

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