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Present: Vs. State of Punjab and Others

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Court : Punjab and Haryana

Decided On : Sep-09-2013

Appellant : Present:

Respondent : State of Punjab and Others

Judgement :

CIVIL WRIT PETITION NO.19903 o

1. IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH CIVIL WRIT PETITION NO.19903 of 2013 DATE OF DECISION: SEPTEMBER 09 2013 Prithi Raj .....Petitioner Versus State of Punjab and others .....Respondents CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA Present: Present Mr.Vikas Chatrath, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.

It has been averred that the petitioner while working as a JBT Teacher had not participated in a strike called on 8.2.1978.

Learned counsel contends that in the light of letter dated 16.6.1978, Annexure P1, issued by the Chief Secretary, Punjab Government, the petitioner was vested with a right to be granted one pre-mature increment.

Even though the petitioner stands retired, yet the present writ petition has been filed raising a grievance that the benefit of the letter dated 16.6.1978 has never been released to him.

The petition is disposed of with a direction to respondent No.2 to consider the claim of the petitioner in the light Malik Sushama Rani 2013.09.10 12:35 I attest to the accuracy and integrity of this document CIVIL WRIT PETITION NO.19903 o

2. of legal notice dated 4.6.2013, Annexure P7, and to pass a final order thereupon strictly in accordance with law and within a period of four months from the date of receipt of a certified copy of this order.

It is clarified that in case the petitioner is found entitled to the benefit of one pre-mature increment, it shall be open for the respondent-authorities to grant such benefit only on notional basis and thereafter grant to the petitioner the benefit of revised pension fixation.

It shall further be open for the respondents to even confine the benefit of arrears of such revised pensionary benefits to a period of 38 months prior to the date of filing of the instant writ petition.

Writ petition disposed of accordingly.

(TEJINDER SINGH DHINDSA) September 09, 2013 JUDGE Sr.Malik Sushama Rani 2013.09.10 12:35 I attest to the accuracy and integrity of this document

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