

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

(202)

CWP No.17527 of 2011 (O&M)

Date of decision: 27.08.2015

Ram Nath

....Petitioner

Versus

UHBVNL and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present: Mr. Naveen Daryal, Advocate for the petitioner.

Mr. P.S.Poonia, Advocate for the respondents.

P.B. Bajanthri, J.

In this petition, short question for consideration is entitlement of 2nd ACP to the petitioner. The respondents contended that the petitioner was entitled for 2nd ACP in the year 1996, however the same was denied for the reasons that he did not fulfil the conditions stipulated in the ACP Scheme in particularly Item No.5 relating to eligibility for grant of ACP scale. It was contended that petitioner had adverse remarks for the year 1987. Thus, petitioner's service record was unsatisfactory.

Heard learned counsel for the parties.

No doubt, the petitioner was entitled for 2nd ACP as on 1996. The same was denied due to adverse remarks in the year 1987. It was rightly denied in the year 1996 whereas the respondents suo motu should have granted benefit of 2nd ACP as and when completion of 10 years of satisfactory service of the petitioner i.e. in the year 1998.

Having regard to the facts and circumstances, the petitioner is

entitled for 2nd ACP in the year 1998. The respondents are directed to grant 2nd ACP in the year 1998 and consequential benefits shall be paid to the petitioner within 8 weeks' from today.

Accordingly, writ petition is allowed in part.

27.08.2015

pooja saini

(P.B.BAJANTHRI)
JUDGE