

HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 15770 of 2015
Date of decision: October 20, 2015

Dharam Pal Yadav ... Petitioner
Versus

Union of India and ors. ... Respondents

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present: - Mr. Mukesh Yadav, Advocate
for the petitioner.

HARINDER SINGH SIDHU. J.

Notice of motion.

Mr. Anil Chawla, Advocate, who is present in the Court,
accepts notice on behalf of the respondents.

The petitioner was enrolled in the Central Reserve Police Force as Constable (GD) on 2.1.1970 and retired therefrom on 1.3.2002 after completing more than 32 years of service.

The limited prayer of the petitioner in this petition is that in terms of the clarification letter dated 27.10.2014 issued by DIG (Estt) Dte., he is entitled to the 2nd financial up-gradation under ACP Scheme from the date he completed 24 years of service but the said benefit has not been granted to him.

For claiming the aforesaid relief, the petitioner has submitted repeated representations and lastly served legal notice dated 10.03.2015 (Annexure P-1) through counsel to the respondents but no action has been taken so far.

Learned counsel for the petitioner contends that at this stage, he would be satisfied if a direction is issued to respondent No. 2 to take a decision on the legal notice dated 10.03.2015 (Annexure P-1) with regard to grant of 2nd ACP to the petitioner in terms of clarification letter dated 27.10.2014.

Accordingly, without commenting on the merits of the case, the present writ petition is disposed of with a direction to respondent No. 2 to consider and take a decision on the legal notice dated 10.3.2015(Annexure P-1) in terms of Clarification letter dated 27.10.2014 by DIG(Estt) Dte. expeditiously, preferably, within a period of three months from the date of receipt of a certified copy of this order.

However, if the petitioner is found entitled to any monetary benefits, then the respondents shall be at liberty to restrict the arrears to a period of three years preceding the filing of this writ petition.

(Harinder Singh Sidhu)
Judge

20.10.2015
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