

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

Civil Writ Petition No.16985 of 2016

Date of decision: 22.8.2016

Daljit Singh Bhullar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Balbir Singh Jaswal, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks direction for grant of step-up benefits on completion of 4 and 9 years of service as provided under the Assured Career Progression Scheme (ACP) and for refixation of pensionary benefits accordingly.

It is case of the petitioner that he had joined service as Junior Engineer with Municipal Corporation, Amritsar-respondent no.2 on 24.10.1983 and was promoted as SDO/Assistant Corporation Engineer on 14.9.1998. He was entitled for the above said benefit on 13.9.2002 and 13.9.2007 but no action was taken. In the meantime, he had superannuated on 31.1.2012 from the rank of Executive Engineer. It is his case that thereafter respondent no.2 has recommended his case to respondent no.1 vide letter dated 21.1.2014 (Annexure P/2) but no action has been taken on the same. A legal notice dated 6.1.2016 (Annexure P/3) has also been served upon respondent no.1 for grant of necessary benefits but in vain.

Counsel for the petitioner submits that he would be satisfied if a direction is issued to respondent no.1 to decide the said legal notice within some fixed time frame.

Notice of motion.

Ms. Lavanya Paul, Assistant Advocate General, Punjab accepts notice on behalf of respondent no.1. Copy of the writ petition has been supplied to her.

Keeping in view the limited relief sought by the petitioner and the fact that the decision making is still in the pipeline, this Court is of the opinion that there is no requirement of calling for any reply on behalf of the State.

Accordingly, without commenting upon the merits of the case and entitlement of the petitioner, the present writ petition is disposed of with a direction to respondent no.1 to take into consideration the said legal notice dated 6.1.2016 (Annexure P/3) and pass an appropriate order in accordance with law within a period of three months from the date of receipt of a certified copy of this order. In case the petitioner is found entitled for the said benefit, the financial benefits be paid to him within two months thereafter. In case any adverse order is to be passed then a reasoned order be passed by the said respondent and be conveyed to the petitioner.

August 22, 2016
Pka

(G.S.SANDHAWALIA)
Judge