

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

**Civil Writ Petition No.20084 of 2016**

**Date of Decision: 26.09.2016**

Vijay Kumar

..... Petitioner

*Versus*

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH**

Present: Ms. Alka Chatrath, Advocate for the petitioner.

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**JASWANT SINGH, J. (Oral)**

The petitioner joined as Hindi Teacher on *ad hoc* basis on 07.08.1980 and regularized the services as such on 26.10.1982. He was promoted as Hindi Master on 04.02.2004.

The claim in the present petition is for grant of the benefit of increments/pay scales on completion of 4, 9 and 14 years of service under the ACP Scheme dated 03.11.2006 (**Annexure P-3**).

It is contended that **P-3** has been further clarified vide memo dated 20.09.2013 (**Annexure P-6**), whereby the period for grant of benefit of ACP to the language teachers is to be counted from the date of promotion as Master.

Learned Counsel for the petitioner submits that the petitioner is covered under the Scheme (**P-3**) and has no issue regarding clarification of **P-6**, however, it is claimed that todate, no decision has been taken qua the entitlement and release of the same to the petitioner. She further submits

that the petitioner would be satisfied if a direction is issued to the

respondents to decide his claim, as set out in the Legal Notice dated 21.01.2016 (**Annexure P-9**).

Prayer being reasonable is liable to be accepted.

Accordingly, the present petition is disposed of with a direction to the respondents/competent authority to decide the claim of the petitioner in terms of the ACP Scheme (**P-3**), supplemented by **P-6** by passing a speaking order in accordance with law within four months from the receipt of the certified copy of this order along with copy of the writ petition.

Needless to say, the admissible benefits would be released to the petitioner within next three months of the passing of the order. Failing which, the petitioner would be liable to receive the interest at the rate of 8 % per annum on the admissible dues, to be recovered from the guilty official concerned. It is clarified that in case the petitioner is found not entitled, the order would contain the provisions relied upon, as also the due consideration.

Disposed of in the above terms.

**September 26, 2016**

Gagan

**(JASWANT SINGH)**  
**JUDGE**

|                                  |            |
|----------------------------------|------------|
| <i>Whether speaking/reasoned</i> | <i>Yes</i> |
| <i>Whether Reportable</i>        | <i>No</i>  |