

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.22378 of 2016

Date of Decision:-07.11.2016

Tejinder Singh & Ors.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Amrik Singh, Advocate for Petitioners.

JASWANT SINGH, J.(ORAL)

The petitioners are employed as Sub Divisional Officers or retirees in the same rank or Junior Engineer from the Department of Irrigation, Punjab and are claiming the benefit of incentive increments at 4/9/14 years under the Assured Career Progression Scheme on 03.11.2006, which has been declined by the impugned decision dated 29.04.2015 (P-5) by stating that the same is not admissible to Junior Engineers.

It is contended that the impugned order P-5 has been considered by the learned Single Judge of this Court and issue was decided in favour of the employees/retirees. The said judgment dated 20.05.2013 (P-6) as also upheld by the LPA Bench vide decision dated December 19, 2014 Annexure P-7. The prayer is for grant of benefits in terms of the declaration vide judgments at Annexure P-6 as upheld at P-7. It is averred

that the petitioners have also issued a legal notice 08.09.2016 (P-10) and the

learned Counsel submits that his client would be satisfied if the department is directed to decide their claim in terms of the case set out in the legal notice within a time bound manner.

Prayer is reasonable and liable to be accepted.

Accordingly, the present petition is disposed of with the direction to the Competent Authority to decide the claims of the petitioners as set out in the legal notice (P-10) and the present writ petition by passing a speaking order within six months from the receipt of certified copy of the order along with the copy of the writ petition. The admissible monetary benefits shall thereafter be released within next three months.

(JASWANT SINGH)
JUDGE

November 07, 2016
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>