IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.25202 of 2015
Date of decision: 12.1.2016

Jatinder Singh & ors. … Petitioners

Versus

State of Punjab & ors. ... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Kriteka Sheokand, Advocate,
for the petitioners.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

The claim in this petition is for grant of revised pay scale on completion of 4 years of service as a Teacher under the Assured Career Progression Scheme along with consequential benefits. This amount has not been released to the petitioners, who work in the different Municipal Committees and Municipal Corporations at Punjab. It is stated that ACP scheme is applicable to local bodies. The petitioners have made a representation (Annexure P-5) which has not been decided so far.

Learned counsel appearing for the petitioners submits that he would be satisfied if a direction is issued to the respondents to consider and decide representation (Annexure P-5) within a time bound period.

The request of Ms. Sheokand is fair and reasonable and the declaration of right should not be unreasonably delayed. Therefore, a direction is issued to the respondents to decide the representation

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(Annexure P-5) after hearing the petitioners or their representatives and the Government authority is expected to pass a reasoned order thereon and to do so within a period of two months from the date of receipt of a certified copy of this order. In case the amount is found due, then it would neither be necessary to hear the petitioners nor would a speaking order be required to be passed and the benefits be granted by operation of officer orders. Only in case an adverse order is contemplated to be passed, then the right of hearing would be granted to the petitioners, independently, collectively or through an authorized representative, as may be requested by the petitioners, and a speaking order would be made by assigning reasons for the conclusions reached and the same be communicated to each of the petitioners without any delay within the time frame set in this order.

With these directions, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

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