

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

**CWP No.26249 of 2016
Date of decision: 19.12.2016**

Ashok Sareen and others

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Parveen Kumar Garg, Advocate
for the petitioners.

Daya Chaudhary, J. (Oral)

The petitioners are employed as Junior Engineer or retirees in the same rank from PWD (B&R), Punjab and are claiming the benefit of incentive increments on completion of 4/9/14 years of service under the Assured Career Progression Scheme issued on 03.11.2006, which has been declined by the impugned decision dated 29.04.2010 (Annexure P-5) by stating that the same is not admissible to Junior Engineers.

It is contended that the impugned order (Annexure 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 (Annexure P-6) has also been 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 Annexure P-6 as upheld in Annexure P-7. It is averred that the petitioners have also issued a legal notice 20.09.2016 (Annexure P-9). The learned Counsel submits that

the petitioners 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 claim of the petitioners as set out in the legal notice (Annexure P-9) and the present writ petition by passing a speaking order within six months from the date of 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.

19.12.2016
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

√
Yes/No

Whether Reportable

√
Yes/No