

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

CWP No. 4458 of 2016
Date of decision: 06.04.2016

Raj Kumar Singh

....Petitioner(s)

Versus

The Chairman, Punjab Mandi Board, Mohali and others ...Respondent(s)

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

Present: Mr. Sushil Saini, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks the benefit of ACP after completion of 4, 9 and 14 years of service including revision of pay, retiral benefits after considering the period of regular service of the petitioner as Assistant Engineer (Electrical) on current duty charge w.e.f. 08.05.1991 to 05.04.1995.

Counsel submits that his representation as such may be decided.

The said claim is absolutely unjustified. It is not disputed that for the above said period, the petitioner had filed CWP No. 128 of 1993, which was decided on 17.07.2014 in which, the salary for performing the duties of the Assistant Engineer were granted as the petitioner had been given the CDC charge. This was primarily on the basis that the petitioner had performed the duties of a higher post. For the same period, the petitioner now is seeking the benefit of ACP, which can only be granted if

the petitioner had been regularly promoted. Reference can be made to the judgment of the Apex Court in ***Punjab State Electricity Board and others vs. Jagjiwan Ram and others, 2009 (3) SCC 661*** wherein, it was held that the benefit is to be given to persons in regular service.

In such circumstances, the claim which has been made is without any justification.

The writ petition being patently frivolous, accordingly the same is dismissed in limine.

06.04.2016
shivani

(G.S. SANDHAWALIA)
JUDGE