

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA No.2153 of 2016 (O&M)

Date of Decision: 03.11.2016

UHBVNL & Ors.

... Appellants

VS.

Shadi Ram

... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA KANT

HON'BLE MR.JUSTICE SUDIP AHLUWALIA

1. Whether speaking/reasoned?	Yes / No
2. Whether reportable?	Yes / No
3. Whether Reporters of local papers may be allowed to see the judgment?	Yes / No
4. To be referred to the Reporters or not?	Yes / No
5. Whether the judgment should be reported in the Digest?	Yes / No

Present: Mr. KS Malik, Advocate for the appellants

SURYA KANT, J. (Oral)

(1) The instant Letters Patent Appeal has laid challenge to the order dated 16.10.2015 whereby Learned Single Judge accepted the claim of the respondent for grant of 1st ACP w.e.f. 01.01.1996 and consequently, the order withdrawing such benefits has been set aside.

(2) The issue that fell for consideration of learned Single Judge was whether the respondent was ineligible for the grant of 1st ACP w.e.f. 01.01.1996 allegedly on the ground that he had already got two promotions and one financial upgradation in his service career?

(3) That objection has been turned down by Learned Single Judge on the strength of various judgments of this Court dealing with identical situation. Learned Single Judge has referred to *in extenso* various judgments including that of a Division Bench of this Court rendered in **Commissioner and Secretary, State of Haryana vs. Ram Sarup Ganda, (2006) 12 SCALE**

440.

(4) It is fairly conceded that the cited decisions have attained finality. The case of respondent is not distinguishable from those cases in any manner. No legal infirmity can thus be attributed in the order under appeal.

(5) Dismissed.

(Surya Kant)
Judge

03.11.2016
vishal shonkar

(Sudip Ahluwalia)
Judge