

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

CWP No.10110 of 2015

Date of decision: September 15, 2017

Darshan Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Peeush Gagneja, Advocate
for the petitioner.

Ms. Sudeepti Sharma, Addl. A.G., Punjab.

JASPAL SINGH, J.(ORAL)

Through the civil writ petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of writ in the nature of mandamus directing the respondents to grant the benefits of ACP Scheme, Revised Scale of Rs.1200-2100 (with initial start of Rs.1260/-) from 1986, step up of the year 1994, step up of 18 years of service, and all other benefits, as has already been granted to the other similarly situated employees, and in view of the law settled by the Hon'ble High Court in CWP No.12132 of 2010 dated 20.07.2011 (Annexure P-1), LPA No.2003 of 2012 decided on 05.12.2013 and CWP No.7005 of 2001, decided on 03.04.2014 (Annexure P-3) along with interest for delayed period, and for which a representation/legal notice dated 05.12.2014 (Annexure P-4) has also been submitted by him.

At the very outset of the arguments, it has emerged that the Government Notification No.7/37/98-PP1/12851 dated 25th September, 1998 is still operative and has not so far been struck down by any Court.

Thus, it is a matter of consideration as to whether petitioner is entitled to the relief claimed by him on the basis of judgment rendered in CWP No.12132 of 2010, LPA No.2003 of 2012 and *CWP No.7005 of 2001* (Annexures P-1 to P-3. Petitioner also served a legal notice dated 05.12.2004 (Annexure P-4) prior to the filing of the instant petition but so far, no conscious decision has been taken thereon. At this stage, the petitioner feels satisfied in case a direction be issued to respondent No.2-Director General of Police, Punjab, Sector-9, Chandigarh to consider his claim reflected in the legal notice dated 05.12.2004 (Annexure P-4) and to take a considerable decision thereon.

Without commenting upon the controversy on merits and expressing any opinion, instant petition stands disposed of with direction to respondent No.2-Director General of Police, Punjab, Sector-9, Chandigarh to look into the grievances unfolded by the petitioner in the legal notice dated 05.12.2004 (Annexure P-4) and to take a conscious decision within a period of three months by passing a speaking order from the date of receipt of certified copy of this order.

If the petitioner still feels aggrieved of the order passed by the concerned authority, he shall be at liberty to approach this Court.

September 15, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No