

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

**CWP No.15663 of 2017
DECIDED ON: July 20, 2017**

UPDESHJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Jigyasa Tanwar, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

Through instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus, directing the respondents to grant proficiency step up under the “Assured Career Progression Scheme” of the Government to the petitioner on his completion of 4 & 9 years of service after the petitioner was promoted as Head Draftsman and consequently for fixing the basic pay of the petitioner in accordance with his date of completion of 4 & 9 years of service as Head draftsman till the date of final disposal of the present writ petition along with interest @ 18% per annum. Further, for issuance of direction to respondents No.1 and 2 to decide representation dated 12.03.2014 (Annexure P-3).

2. The contention of learned counsel for the petitioner is that the petitioner was retired as Head Draftsman, on attaining the age of superannuation on 31.12.2009 and thereafter, several representations/requests have been made to the concerned authorities for the grant of proficiency step up under the “Assured Career Progression Scheme” of the Government on completion of his service of 4 years and 9 years after he was promoted as Head Draftsman. Even the necessary recommendation has also been made to the Secretary, Local Government Department, Punjab, Chandigarh vide letter dated 04.10.2013 (Annexure P-3) for grant the step up benefits, but till date no cautious decision has been taken.

3. Learned counsel for the petitioner further contends that under the RTI Act, an information was received by the petitioner on 19.05.2014 that the matter is still pending with the Personnel Branch in the office of respondent No.2-Director, Local Govt. of Punjab, Chandigarh. Moreover, similar benefits have already been granted to the similarly situated person namely Gurcharan Singh by this Court vide judgment dated 26.11.2013 passed in CWP No.25882 of 2013 (Annexure P-6) and in compliance of said judgment, the benefits have already been released in favour of aforesaid Gurcharan Singh.

3. Instant petition is disposed of with a direction to respondent No.2 to take cautious decision with regard to the recommendations made by the Commissioner Municipal Corporation, Ludhiana, which has been forwarded to the Secretary Local Government, Punjab, Chandigarh vide letter dated 04.10.2013 (Annexure P-3), particularly in view of the judgment passed by this Court in CWP No.25882 of 2013, dated 26.11.2013 (Annexure P-6) as well as

Government letter dated 23.07.2014 (Annexure P-7) passed in compliance of aforesaid judgment within a period of 3 months from the date of receipt of certified copy of this order.

July 20, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*