

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.26121 of 2017
DECIDED ON: NOVEMBER 16, 2017

JOGINDER SINGH

.....PETITIONER..

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ravi Verma, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to grant the benefit of 3rd ACP grade pay of Rs.6000/- w.e.f. 04.03.2014 in terms of Rule 7 of Haryana Civil Service (Assured Career Progression) Rules, 2008 read with letter dated 04.03.2014 (Annexure P-1) and grant him all consequential benefits including pay fixation, revised pension and other retiral benefits, due arrears of salary/pensionary benefits along with interest @ 18% p.a. on delayed payment from due date till its realization in view of instruction dated 20.02.2002 (Annexure P-5).

2. At the very outset of the arguments, learned counsel for the petitioner submits that though legal notice dated 21.08.2017 (Annexure P-4) was duly served upon the respondents but till date no conscious decision has

been taken. He further submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide aforesaid legal notice, within a stipulated period.

3. Instant petition is disposed of with a direction to respondent(s) to consider the case of the petitioner and take a final decision in terms of Rule 7 of Haryana Civil Service (Assured Career Progression) Rules, 2008 read with letter dated 04.03.2014 (Annexure P-1), within a period of three months from the date of receipt of certified copy of this order.

4. The factum of grant of interest on delayed payment of retiral benefits shall also be considered in view of the observations made by Full Bench of this Court in case captioned as “***R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318.***”

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

NOVEMBER 16, 2017
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***