

In the High Court of Punjab & Haryana at Chandigarh.

CWP-28073-2017

Date of decision: 11.12.2017.

Vishavjot Kaur and others

..... Petitioners.

VS.

State of Punjab and another

..... Respondents.

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. R.K.Arora, Advocate
for the petitioners.

TEJINDER SINGH DHINDSA,J.(ORAL)

As per pleadings on record, the petitioners herein, who are four in number, initially joined as Junior Lecturers/Demonstrators with the Government Polytechnic College for Girls, Jalandhar on different dates between years 1983 to 1987.

A tabulation has been placed on record at annexure P4 which gives out the initial date of joining of the petitioners, date of promotion, post conversion as Lecturers, date of promotion as Senior Lecturers, date of promotion as Head of Department in the case of petitioners No. 1 to 3 as also the dates of retirement of petitioners No. 3 and 4.

Counsel submits that the Government Polytechnic College for Girls, Jalandhar is functioning under the aegis of Technical Education & Industrial Training Department, State of Punjab.

Claim in the instant petition is for grant of benefit of Dynamic ACP under the State Government instructions dated 17.04.2000 (Annexure P5) read alongwith instructions dated 22.12.2011 (Annexure P6) as also dated 09.08.2016 (Annexure P7).

Counsel would advert to the instructions dated 22.12.2011 (Annexure P6) to contend that in addition to the 11 categories of employees mentioned in the Assured Career Progression Scheme, 12th category was added i.e.

category of Polytechnic Lecturers and to which the petitioners herein belong. In respect of a query having been put that petitioners No. 3 and 4 already stand retired, counsel would respond by submitting that 12th category of Polytechnic Lecturers were covered under the instructions dated 22.12.2011 w.e.f. 28.05.2009 which would be a date prior to the date of superannuation of petitioners No. 3 and 4.

Counsel further contends that the claim of the petitioners would be covered in terms of judgment dated 05.04.2017 passed by this Court in **CWP No. 16914 of 2014**, titled as **Pritpal Kaur Vs. State of Punjab and others** (Annexure P10), wherein the issue has been settled that irrespective of the mode of appointment as Polytechnic Lecturers i.e. by way of direct recruitment, promotion or conversion, a Polytechnic Lecturer was entitled to the benefit of Dynamic ACP.

In view of the submissions advanced by learned counsel and without ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the instant petition with a direction to respondent No. 2 i.e. Director, Department of Technical Education & Industrial Training, Punjab to consider the claim of the petitioners and to take a final decision on the representations submitted by the petitioners and placed on record as Annexure P14 (colly). Final decision in the matter be taken expeditiously and in any case within a period of three months from the date of receipt of certified copy of this order and be conveyed to the petitioners.

Disposed of.

11.12.2017
smriti

(TEJINDER SINGH DHINDSA)
JUDGE

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