

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.28210 of 2017(O&M)

Date of Decision: 12.12.2017

Arun Kumar & another

--Petitioners

Versus

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)

Pleadings on record indicate that the petitioners herein joined as Demonstrator (Civil Engineering) and Junior Lecturer (Applied Science) under the Govt. Polytechnic College, Kotkapura in the year 1986. The service particulars of the petitioners have been furnished in a tabulation placed on record and appended as Annexure P-1. The post of Demonstrator as also that of Junior Lecturer were converted to that of Lecturer in the year 1987. Both the petitioners secured promotion as Senior Lecturer on 29.5.2006 and 12.2.1996 respectively. Petitioner no.1 was promoted as H.O.D on 1.1.2013 and petitioner no.2 as H.O.D on 4.9.2000. Petitioner no.2 has, thereafter, been promoted as Principal on 7.8.2012. Petitioners are to superannuate in the years 2022 and 2019 respectively.

Claim in the instant petition is for grant of benefit of Dynamic A.C.P under the State Govt. Instructions dated 17.4.2000 (Annexure P-2) and read along with instructions dated 22.12.2011 (Annexure P-3) as also 9.8.2016 (Annexure P-4).

Counsel would advert to the instructions dated 22.12.2011 (Annexure P-3) to submit that in addition to the 11 categories of employees

mentioned in the A.C.P Scheme dated 17.4.2000, a 12th category was added i.e. category of Polytechnic Lecturers and to which the present petitioners belong.

Counsel further argues that the claim of the petitioners would be covered in terms of judgement dated 4.4.2017, passed by this Court in ***CWP No.16914 of 2014 titled as Pritpal Kaur Vs. State of Punjab and others*** (Annexure P-9), wherein the issue had been settled that irrespective of the mode of appointment as Polytechnic Lecturer i.e. by way of direct recruitment/promotion or conversion a Polytechnic Lecturer was entitled to the benefit of Dynamic A.C.P.

In view of the submissions advanced by counsel for petitioners, I deem it appropriate to dispose of the present petition with a direction to respondent no.2 i.e. the Director, Department of Technical Education & Industrial Training, Punjab to consider the present writ petition itself as a representation and to take a final decision on the claim of the petitioners in accordance with law within a period of three months from the date of receipt of a certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.12.2017

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No