

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

**CWP-28212-2017 (O&M)
Date of decision:12.12.2017**

Surinder Kumar & others

... Petitioners

Vs.

State of Punjab & others

... 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, petitioner No.1 joined as Junior Lecturer (ad hoc) (Applied Science) in the year 1984 under Polytechnic College, Bareilly, District Mansa. Petitioners No.2 and 3 joined as Lecturer (ad hoc) and Demonstrator (Ad hoc) in the years 1983 and 1976 respectively under the Government Polytechnic College for Girls Dinanagar, District Gurdaspur. Petitioners were subsequently made regular. The post of Junior Lecturer as also that of Demonstrator was converted into that of Lecturer. The particulars of the petitioners have been furnished in a tabulation placed on record at Annexure P-1 which reflects the date of promotions/conversion as Lecturers, dates of promotions as Senior Lecturers, dates of promotions of petitioners No.1 and 2 as Head of the Department as also promotion to the post of Principal.

Petitioners stand superannuated on different dates between the years 2010-17.

Claim in the instant petition is for grant of benefit of dynamic

ACP under the State Government Instructions dated 17.04.2000 (Annexure P-2) read along with Instructions dated 22.12.2011 (Annexure P-3) as also dated 09.08.2016 (Annexure P-4).

Counsel would advert to the Instructions dated 22.12.2011 (Annexure P-3) to contend that in addition to the 11 categories of employees mentioned in the ACP Scheme, 12th category was added i.e. category of Polytechnic Lecturers and to which the petitioners belong. In respect of a query having been put that the petitioners already stand retired, counsel would respond by submitting that the 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 the petitioners.

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-16914-2014 titled as Pritpal Kaur Vs. State of Punjab & others** (Annexure P-9), 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, Polytechnic Lecturers were entitled to the benefit of dynamic ACP.

In view of the submissions advanced by 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. the Director, Department of Technical Education and Industrial Training, Punjab to consider the claim of the petitioners and to take a final decision on the representations placed on record at Annexures P-14, P-15 and P-16. Final decision in the matter be taken expeditiously and in any case

within a period of three months from the date of receipt of a certified coy of this order and be conveyed to the petitioners.

Disposed of.

12.12.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No