

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

Date of decision:01.03.2017

Raghbir Singh and others

.....Petitioners

v.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.GS Chahal,Advocate for the petitioners

Jaswant Singh,J.

25(twenty five) petitioners were initially appointed as Junior Engineers from 1979 to 2005. By now some of them have earned promotions as SDOs and Executive Engineers. By way of present writ petition they are claiming the benefit of incentive increments at 4/9/14 years under the Assured Career Progression Scheme on 3.11.2016, which has been declined by memo dated 29.4.2010(P-4) issued by Department of Personnel, holding that benefit of ACP scheme cannot be granted to Junior Engineers.

It is contended that the impugned order P-4 has been considered by the learned Single Judge of this Court and issue was decided in favour of the employees/retirees. The said judgment dated 20.5.2013(P-6) was also upheld by the LPA Bench vide decision dated

19.12.2014 in LPA No.244 of 2014 and by Hon'ble Supreme Court vide

order dated 4.9.2015 and therefore attained finality. It is averred that the petitioners have also issued a legal notice dated 28.11.2016(P-7) and the learned counsel submits that this clients would be satisfied if the department is directed to decide their claim in terms of the case set out in the legal notice within a time bound manner.

Prayer is reasonable and liable to be accepted.

Accordingly, the present petition is disposed of with the direction to the competent authority to decide the claim of the petitioners as set out in the legal notice(P-7) annexed with the present writ petition by passing a speaking order within six months from the receipt of certified copy of the order alongwith copy of the writ petition. The admissible monetary benefits shall thereafter be released within next three months.

01.03.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No