

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

CWP No. 4726 of 2017

Date of decision: 08.03.2017

Gurdeep Rai and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Amrik Singh, Advocate,
for the petitioners.

JAISHREE THAKUR, J. (ORAL)

The petitioners are employed as Sub Divisional Officers or retirees in the same rank or Junior Engineer from the Department of Irrigation, Punjab and are claiming the benefit of incentive increments at 4/9/14 years under the Assured Career Progression Scheme on 03.11.2006, which has been declined by the impugned decision dated 29.04.2010 (P-5) by stating that the same is not admissible to Junior Engineers.

It is contended that the impugned order P-5 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 20.05.2013 (P-6) as also upheld by the LPA Bench vide decision dated December 19, 2014 Annexure P-7. The prayer is for grant of benefits in terms of the declaration vide judgments at Annexure P-6 as upheld at P-7. It is averred that the petitioners have also issued a legal notice 11.01.2017 (P-10) and the learned Counsel submits that his 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 claims of the petitioners as set out in the legal notice (P-10) and the present writ petition by passing a speaking order within six months from the receipt of certified copy of the order along with the copy of the writ petition. The admissible monetary benefits shall thereafter be released within next three months.

08.03.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes.

Whether reportable

No.