

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.6243 of 2017
Date of Decision:-27.03.2017.

Vinod Kumar Nanda

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Jai Vir Yadav, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, the petitioner has sought for quashing the order dated 2.7.2015 and 8.9.2016 passed by respondent No.2 vide Annexure P-10 and P-14, respectively by which his claim for grant of second ACP has been rejected on the post of JBT Teacher.

The petitioner is stated to have been recruited directly to the post of S.S. Master in the year 2010. Thus, it is evident that he has not been promoted from the JBT post to that of S.S. Master. The object of grant of ACP benefit is to such of those employees who have stagnated in a post for 8 or 10 years with reference to ACP Rules, 1998 and 2008. Since the petitioner is a direct recruitee to the post of SS Master in the year 2010, therefore, ACP Rules, 1998 or 2008 are not applicable. Learned counsel for the petitioner vehemently pointed out that vide Annexure P-15 similarly situated persons have been granted the benefit of ACP even though they

were also appointed directly to the post. If the respondents have committed wrong and contrary to Rules and benefit has been extended, the same benefit cannot be extended to the petitioner. Thus, there is no discrimination insofar as petitioner is concerned.

Hence, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

March 27, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.