

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

Date of decision:30.03.2017

Paramjit Singh Virk and others

.....Petitioners

v.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Sidharth Gupta,Advocate for the petitioners

Jaswant Singh,J,(Oral).

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 3.11.2006, which has been declined by the impugned decision dated 29.4.2010(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 the issue was decided in favour of the employees/retirees. The said judgment dated 20.5.2013(P-6) as also upheld by the LPA Bench vide decision dated December 19,2014(P-7). The prayer is for grant of benefit in terms of the declaration vide judgment at Annexures P-6 and upheld at P-7. It is

averred that the petitioners have also issued a legal notice dated 20.2.2017(P-10) and the learned counsel submits that his client 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. Reference is made to order dated 7.11.2016(P11) passed by this Court in identical matter.

Notice of motion.

At the asking of the Court, Mz.Sudeepti Sharma,DAG Punjab accepts notice and concedes that the matter herein is covered in terms of order dated 7.11.2016(P-11) passed by this Court.

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-10) and the present writ petition by passing a speaking order within six months from the receipt of certified copy of the order alongwith the copy of the writ petition. The admissible monetary benefits shall thereafter be released within next three months.

30.03.2017
joshi

(Jaswant Singh)
Judge

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