

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

Sr. No.216

Civil Writ Petition No.17127 of 2015
DECIDED ON: August 14, 2018

OM PARKASH

..PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Pawan Kumar Goklaney, Advocate,
for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

Mr. J.S. Puri, Advocate,
for respondent No.2.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of Mandamus directing the respondents to grant the benefit of higher pay scale under Assured Career progression Scheme to the petitioner on the completion of 4 years of service as Joint Secretary w.e.f. 27.02.2011 along with all consequential benefits i.e. re-fixation of salary, payment of arrears of salary and all other retiral benefits, in view of ACP Scheme notified by the Punjab Government vide notifications dated 03.11.2006 (P-6) and 20.12.2011 (P-7), whereby previously ACP Scheme issued on 03.11.2006 has been revived w.e.f. 01.12.2011, as the petitioner is

Civil Writ Petition No.17127 of 2015

fully eligible for grant of benefit of ACP in terms of above notifications
WITH Further interest @ 12% from the date when it became due till its
realization.

2. At the very outset of the arguments, learned counsel for the
petitioner submits that ACP Scale has already been granted by respondent
No.2 – Secretary, Punjab School Education Board, Phase-8, SAS Nagar
Mohali vide order dated 08.03.2018 w.e.f. 27.02.2011. In addition to it,
arrears have also been paid and question only now survives with regard to
grant of interest on the delayed payment(s) thereof.

3. At this juncture, learned counsel for the petitioner further
submits that he be permitted to withdraw the instant petition with liberty to
approach the concerned Board for grant of interest and to have recourse to
the remedies available under law.

Dismissed as withdrawn with aforesaid liberty as prayed for.

August 14, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**