

**CWP No.10869 of 2018  
DECIDED ON: MAY 03, 2018**

**OMPATI**

**....PETITIONER**

**VERSUS**

**STATE OF HARYANA AND ORS**

**....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Amandeep Singh Manaise, Advocate  
for the petitioner.

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**JASPAL SINGH, J (ORAL)**

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to grant the benefit of 2<sup>nd</sup> ACP to her husband w.e.f. 01.01.2006 and also to refix family pension and to release the arrears thereof, along-with interest.

2. The contention of learned counsel for the petitioner is that the husband of the petitioner stood retired on attaining the age of superannuation on 30.09.2006. As per “The Haryana Civil Services (Assured Career Progression) Rules 1998, husband of the petitioner was entitled for the grant of 2<sup>nd</sup> ACP as he rendered 20 years service on the post of driver and he did not get any promotion or financial upgradation. But the said benefit has not been granted to him.

Petitioner constrained to served legal notice dated 21.12.2017 (P-7) upon the

respondents, which also did not fetch any reply. At this juncture, learned counsel for the petitioner submits that petitioner feels satisfied in case a direction is issued to respondents to consider and decide the afore-said legal notice dated 21.12.2017 (P-7) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice dated 21.12.2017 (P-7) and to decide the same in accordance with law, rules, regulations and instructions issued by the Government from time to time, within a period of three months from the date of receipt of certified copy of this order.

4. However, in case petitioner still feels aggrieved by any order of the afore-said authority, she shall be at liberty to have recourse to other remedies available to her under law including to approach this Court.

**MAY 03, 2018**  
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**(JASPAL SINGH)**  
**JUDGE**

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |