

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

CWP No. 224 of 2018

Date of Decision: 11.01.2018

Tilak Raj

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Ramesh Goyat, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for directing the respondents to grant 2nd ACP w.e.f. 04.03.2014 to the petitioner on having completed 16 years of regular satisfactory service in terms of Haryana Government notification dated 04.03.2014 and re-fix his pay in the higher pay grade along with arrears and all consequential benefits.

2. The due date claimed for award of 2nd ACP was 04.03.2014. The representation was filed through proper channel. The District Welfare Officer had sent the representation on 07.11.2016 to the Directorate. Reminders have elicited no response. Finally, the legal notice dated 27.10.2017 was served on the respondents and that has also not been attended to so far.

3. Consequently, a direction is issued to the competent authority-respondent No.2 to take up the legal notice/representation and pass a speaking order thereon after affording an opportunity of

hearing to the petitioner. In case the claim is found justified from the due date then the arrears of ACP be released to the petitioner with interest @ 9% per month from the date it fell due till realization. The interest component will be recovered from the officials who have delayed finalization of this matter. However, in the first phase the Department will shoulder the interest and then recover it from those held responsible for delaying the benefits.

4. With these observations and directions, the petition stands disposed of. The decision will be taken within six weeks. The amounts found due will be paid to the petitioner within one month from the date of the decision or earlier.

11.01.2018

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**(RAJIV NARAIN RAINA)
JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*