

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

**CWP No. 2253 of 2018
DECIDED ON: FEBRUARY 02, 2018**

RAKESH CHANDER SHARMA PRINCIPAL RETD

.....PETITIONER

VERSUS

THE PRINCIPAL SECRETARY SCHOOL EDUCATION PB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Puran Chand Arora, Advocate
 for the petitioner.

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 him the benefit of ACP on completion of 4, 9 and 14 years of his service on the post of Vocational Master with further direction to pay arrears as well.

2. The contention of learned counsel for the petitioner is that petitioner opted for the New Assured Career Progression Scheme stood retired but his pay was not fixed according to New Assured Career Progression Scheme and he stood retired on attaining the age of superannuation on July 31, 2013. Thereafter, he approached the respondents to get his pay fixed in accordance to New Assured Career Progression Scheme but the said relief has not so far been

granted to the petitioner on completion of 4, 9 and 14 years of his service in accordance with instructions contained in letter dated November 03, 2006 (P-2). Petitioner constrained to serve a legal notice dated August 28, 2017 (P-1) upon the respondents but till date neither any reply to the afore-said notice has been received nor any conscious decision has been taken. He further submits that he feels satisfied in case a direction is issued to respondents to decide the legal notice (P-1) within a time bound manner.

3. In view of afore-stated facts and circumstances, instant petition is with a direction to respondent No.3 to look into the grievances unfolded by the petitioner in the legal notice (P-1) and to take a conscious decision in accordance with law, rules and regulations within a period of three months from the date of receipt of certified copy of this order. In case any adverse order is to be passed, to pass a speaking order and in that event, petitioner shall be at liberty to have recourse to the other remedies available to him under law.

FEBRUARY 02, 2018
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(JASPAL SINGH)
JUDGE

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