

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.6687 OF 2018
DECIDED ON: MARCH 19, 2018

PREM CHAND SAINI AND ORS.

.....PETITIONERS

VERSUS

UNION OF INDIA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajeev Anand, Advocate,
for the petitioners.

JASPAL SINGH, J

Through instant petition preferred under Article 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature of mandamus directing the respondents to grant financial benefits accruing under modified Assured Career Progression Scheme, 2009 in spite of the fact that third financial upgradation in the pay scale of Rs.15600-39100 with grade pay of Rs.5400/- i.e. post of Assistant Commandant which is next higher post in the respondent department to the petitioners on completion of 30 years of service along with all arrears, pensionary benefits, consequential benefits and interest.

2. At the very outset of the arguments, learned counsel for the petitioners submits that though representation dated 13.09.2017 (Annexure P-10) was moved to the respondents and legal notice dated 02.10.2017 (Annexure P-11) was duly served upon the respondents but till date

neither any response has been received nor any action has been taken by the respondents. He further submits that petitioners feel satisfied, in case, direction is issued to respondent No.2 to decide aforesaid representation/legal notice, within some prescribed period.

3. Without expressing any opinion on the merits of the case, the instant petition is disposed of with the direction to respondent No.2-The Director General, ITBPF, CGO Complex, Lodhi Road, New Delhi to look into the grievances unfolded by the petitioners in representation/legal notice and to decide the same as per notifications and instructions as well as in the light of judgment passed by by this Court in *CWP No. 28431 of 2013*, titled as “*HBL Meena v. Union of India and others*”, *decided on 31.08.2016* (Annexure P-9), within a period of four months from the date of receipt of certified copy of this order.

4. However, if the petitioners still feel dissatisfied against the order passed by the concerned authority, they shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

MARCH 19, 2018
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(JASPAL SINGH)
JUDGE

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