

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

CWP No.7773 of 2018
Date of decision: 28.03.2018

Naveen Kumar Mittal and others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Namit Kumar, Advocate for the petitioners.

ARUN PALLI, J. (Oral)

Notice of motion.

Mr. RK Doon, AAG, Haryana, present in Court, accepts notice on behalf of the respondents. Copies furnished.

For the nature of order I propose to pass in the matter, no formal written statements/counter affidavits on behalf of official respondents are indeed necessary, at this stage. Thus, with the consent of the parties, the petition is being disposed of finally.

The petitioners pray for a direction to the respondents to award them the benefit of 1st ACP from the date they completed 10 years' service i.e. 25.06.2007, whereas the said benefit was extended on 01.06.2009/25.05.2012, with all consequential benefits. It is urged that the matter in issue is squarely covered by an order and judgment dated 21.04.2016, rendered by this Court in CWP No.15840 of 2015 (**Mohinder Singh and another v. State of Haryana and Anr.**), Annexure P6. And vide response

(Annexure P5) to the legal notice dated 14.12.2016 (Annexure P4), the petitioners were intimated that as the LPA against the decision of this Court in the case of Mohinder Singh and another (supra) is pending, their claim could not be considered. Whereas, the said appeal has since been dismissed, vide order and judgment dated 06.04.2017 (Annexure P7).

Faced with this, learned State counsel submits that the claim/grievance of the petitioners, as also their legal notice dated 14.12.2016 (Annexure P4), shall be considered and dealt with by the respondents within a period of three months from today. And, appropriate orders, in accordance with law, shall be passed.

The petition is accordingly disposed of in the above terms.

However, in the event the claim of the petitioners is declined, the respondent-authorities shall pass a comprehensive order assigning reasons in support thereof.

28.03.2018
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO