

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8105-2019

Date of decision: - 16.09.2019

Vir Devinder Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Sunny Singla, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner argues that though initially the petitioner was promoted as a Kanungo in the year 1998 and he had served on the said post for a period of four years before seeking reversion to the post of Patwari and thereafter, he was again promoted as Kanungoo vide order dated 11.08.2015 (Annexure P-6), but he has not been granted the benefit of ACP from the year 2002 till 2015 on the ground that he had foregone his promotion, which is illegal.

Counsel for the petitioner further argues that there is no rule, which disentitled the petitioner for getting the benefit of ACP while working on the post of Patwari, though, he had sought reversion himself to the said post.

Counsel for the petitioner states that for claiming the benefit of ACP on the post of Patwari from 2002 till 2015, petitioner has

submitted the respondents a representation dated 03.11.2018 (Annexure P-4), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representation by passing a speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the representation dated 03.11.2018 (Annexure P-4) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of three months thereafter.

However, it is made clear that in case the petitioner is found entitled for the benefit, the arrears, if any, shall be restricted from the date of submitting the above-said representation.

Present writ petition stands disposed of.

September 16, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No