

Sr. No.129

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

**CWP No.19974 of 2019 (O&M)
Date of Decision: 23.07.2019**

Sanjay Kumar and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. G.S.Chahal, Advocate,
for the petitioners.

Ms. Anu Chatrath, Senior Advocate with
Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

Grievance of the petitioners is that notwithstanding the ratio rendered by this Court vide judgment dated 20.05.2013 (Annexure P-6) wherein similarly situated employees who had joined as 'Junior Engineers' were granted benefit of ACP, the petitioners have been unjustifiably denied the similar benefit.

2. Learned counsel for the petitioners relies on Circular dated 03.11.2006 (Annexure P-3) and contends that interpretation of the said Circular was subject matter of adjudication in the judgment, *ibid* and controversy has been conclusively laid to rest and yet despite the Legal Notice dated 12.03.2019 (Annexure P-7), the benefit of the Circular is not being conferred to the petitioners.

Hence, the writ petition.

3. Notice of motion.

4. On advance service of the petition, Ms. Anu Chatrath, Senior Advocate assisted by Ms. Ambika Bedi, AAG, Punjab appears and accepts notice on behalf of the State.

5. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the Legal Notice dated 12.03.2019 (Annexure P-7) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

7. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

8. Disposed of in above terms.

23.07.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No