

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21918 of 2019

Date of decision: - 21.08.2019

Vinod Kumar and others

....Petitioners

Versus

The State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Manoj Chahal, Advocate for
Mr. C.L. Sharma, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners argues that the issue of grant of benefit of ACP on completion of 4, 9 and 14 years of service to the junior engineers has already been settled by this Court while deciding ***CWP No. 16446 of 2010 titled as Jaswinder Singh Bedi & others Vs. State of Punjab and others***, which judgment has attained finality up to the Hon'ble Supreme Court of India.

Learned counsel for the petitioners argues that though the petitioners are similarly situated as the petitioners in ***Jaswinder Singh Bedi and Others' case (supra)*** but the benefit is not being extended to the petitioners on the ground that the petitioners were not party to the said writ petition. Learned counsel further argues that whosoever is approaching this Court for the grant of relief, is being extended the same, though once the question of law has already been settled, the similarly situated employees

should have been extended the relief by the respondents themselves keeping in view the law laid down by the Division Bench of this Court in CWP No. 4382 of 2002 titled as *Satbir Singh Vs. State of Haryana*, decided on 21.03.2002, rather than forcing everyone to approach this Court.

Learned counsel for the petitioners states that for the relief, which has been claimed in the present writ petition, petitioners have made representation dated 18.02.2019 (Annexure P-14), which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representation.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioners, the respondents are directed to decide the representation dated 18.02.2019 (Annexure P-14) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

However, as the petitioners have approached this Court now in the year 2019, the benefit, if allowed to the petitioners, the arrears will only be given from today.

Writ petition stands disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

August 21, 2019
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Whether reasoned/speaking? Yes
Whether reportable? No