

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

CWP No. 5530 of 2017 (O&M)

Date of Decision: 15.07.2019.

Jatinder Khara and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Harish Sharma, Advocate,
for the petitioners.

Ms. Anju Sharma Kaushik, DAG Punjab.

JITENDRA CHAUHAN.J.(ORAL)

This writ petition under Articles 226/227 of the Constitution of India has been filed for quashing the memo dated 29.04.2010 (Annexure P-5) vide which the benefit of Assured Career Progression (aCP) Scheme as formulated vide Policy Circular dated 03.11.2006 (Annexure P-4) was declined to Junior Engineers/Assistant Engineers.

The learned counsel for the petitioners states that at this stage, he will be satisfied in case, the respondents are directed to consider and decide the case of the petitioners in the light of the ratio of law laid down in *Jaswinder Singh Bedi and others versus State of Punjab and others decided on 20.05.2013 rendered in CWP No. 16446 of 2010 (Annexure P-6).*

Learned State counsel states that she is not averse to the prayer made by the learned counsel for the petitioners.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to the respondents to consider and decide the claim of the petitioners in the light of the ratio of law laid down in **Jaswinder Singh Bedi's case (supra)** within six weeks from the receipt of the certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter, in accordance with law.

15.07.2019.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No