

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

(120)

CWP-28468-2019

Date of Decision: October 01, 2019

Shanti Saroop and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Chatrath, Advocate, and
Ms. Anureet Budwal, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the claim of the petitioners is that the ACP scheme which was formulated vide notification dated 03.11.2006 (Annexure P-4), in pursuance to which an employee was entitled for the benefit of Assured Career Progression Scheme after rendering 4, 9 and 14 years of service and the benefit of the same is not being extended to the petitioners and other similarly situated persons on the ground that the employees who are already covered in the ACP scheme, which was issued on 25.09.1998 (Annexure P-2) and were getting benefit of the same, are not entitled for the benefit of Assured Career Progression Scheme issued vide notification dated 27.06.2000.

Learned counsel for the petitioners argues that similarly situated persons approached this Court by filing CWP No.16446 of 2010, titled as Jaswinder Singh Bedi and others Vs. State of Punjab and others, claiming the benefit of notification dated 27.06.2000, which petition was allowed by this Court on 20.05.2013 and the benefit to the similarly situated employees have already been given by the respondents keeping in view the directions issued by this Court.

Learned counsel for the petitioners argues that though the

petitioners are similarly situated as the petitioners in CWP No.16446 of 2013 but the benefits to the petitioners have not been extended on the ground that there is no direction from the competent Court of law to grant the petitioners also the option to opt for the scheme which was notified on 03.11.2006 (Annexure P-4).

Learned counsel for the petitioners further argues that once the benefit has been extended to the similarly situated employees, petitioners are also entitled for the same keeping in view the settled principle of law settled by the Division Bench of this Court in Satbir Singh Vs. State of Haryana, 2002 (2) SCT 354.

Learned counsel for the petitioners states that for the relief which has been claimed in the present writ petition, the petitioners have served the respondents with a legal notice dated 08.08.2019 (Annexure P-12) 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 legal notice by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 08.08.2019 (Annexure P-12), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 08.08.2019 (Annexure P-12), within a period of three months from the receipt of certified copy of this order.

(HARSIMRAN SINGH SETHI)
JUDGE

October 01, 2019
harsha

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No