

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(119)

CWP No. 34242 of 2019

Date of Decision : 25.11.2019

Baljinder Singh

....Petitioner

Versus

The State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Amrik Singh, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that keeping in view the order passed by this Court in ***CWP No.16446 of 2010 titled as Jaswinder Singh Bedi and others Vs. State of Punjab and others, decided on 20.05.2013***, which decision has already been upheld in Letters Patent Appeal No.244 of 2014, decided on 19.12.2014, petitioner is entitled for the grant of benefit of the Assured Career Progression Scheme, as notified on 03.11.2006 (Annexure P-3). Learned counsel for the petitioner argues that the benefit which is being claimed in the present writ petition by the petitioner, has already been allowed in favour of the similarly situated personnels, who were the petitioners in ***Jaswinder Singh Bedi's case (supra)*** but the benefit is not being extended to the petitioner on the ground that there is no order in his favour to grant him the benefit.

Learned counsel for the petitioner submits that keeping in view

the order passed by the Division Bench in *Satbir Singh Vs. State of Haryana, 2002(2) S.C.T. 354*, once a question of law has been settled, the benefit of same should be extended to all without forcing them to approach the Court.

Learned counsel for the petitioner prays that a direction be issued to the respondents to grant the petitioner the benefit of the decision in *Jaswinder Singh Bedi's case (supra)*.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 09.09.2019 (Annexure P-8) 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 legal notice by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 09.09.2019 (Annexure P-8), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 09.09.2019 (Annexure P-8), within a period of three months from the receipt of certified copy of this order.

Writ petition stands disposed of accordingly.

November 25, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No