

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.36666 of 2019

DATE OF DECISION:18.12.2019

Joginder Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikram Bali, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the claim of the petitioner is for the grant of ACP, which benefit has not been extended to the petitioner during her service career though she was fully entitled for the same. The petitioner had retired from service on 30.11.2010. No explanation has been given as to why the petitioner has approached this Court after a period of 09 years claiming the benefit of ACP. While the petitioner was in service, no claim for the grant of ACP was raised by the petitioner.

Faced with this situation, counsel for the petitioner states that in case the petitioner is granted the benefit of ACP, she will forego the arrears till the filing of the present writ petition.

Counsel for the petitioner further 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 22.09.2019

(Annexure P-2), 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 dated 22.09.2019 (Annexure P-2) 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 her in the legal notice dated 22.09.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 22.09.2019 (Annexure P-2) within a period of three months from the receipt of certified copy of this order.

However, it is made clear that in case the petitioner is found entitled for any relief, she will not be granted the arrears till the filing of the present writ petition.

December 18, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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