

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

**CWP NO. 36591 OF 2019
DATE OF DECISION : 17.12.2019**

Narinder Kumar Narang and others

...Petitioners

versus

The State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Siddharth Gupta, Advocate,
for the petitioners.

Mr. P. S. Bajwa, Addl. AG, Punjab.

ARUN MONGA, J.(ORAL)

Petitioner herein seeks issuance of a writ in the nature of mandamus directing the respondents to extend the benefit of Assured Career Progression Scheme, as formulated vide policy circular dated 03.11.2006 (Annexure P-4) which has not been implemented qua the Junior Engineers/Assistant Engineers working in the department of Water Resources (Irrigation).

2. Learned counsel for the petitioners argues that the petitioners are entitled for the benefit of judgement rendered by this Court in CWP No.16446 of 2010 titled as **Jaswinder Singh Bedi and others vs. State of Punjab and others**, dated 20.05.2013 (Annexure P-6). He contends that the petitioners herein are similarly situated as the petitioners in the said writ petition. He further argues that the benefits have not been

accorded on the ground that the petitioners herein were not party to the said writ petition. Counsel further relies on **Satbir Singh vs. State of Haryana 2002(2) SCT 354**, to argue **that** once a question of law is settled by a Court and it has attained finality, the benefit of the same should be extended to all without forcing them to approach this Court and, therefore, the petitioners should have been granted the benefit of the judgement in **Jaswinder Singh Bedi's case (supra)**.

3. Learned counsel for the petitioners states that the petitioners have served the respondents with a legal notice dated 02.12.2019 (Annexure P/9), which is still pending consideration. 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.

4. In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 02.12.2019 (Annexure P/9) and by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

5. Let the needful be done within a period of three months from the date of receipt of certified copy of this order.

6. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall

also be released to them within a period of next three months.

7. Present writ petition stands disposed of.

(ARUN MONGA)
JUDGE

DECEMBER 17, 2019
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No