

Sr. No.131

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

**CWP No.37318 of 2019
Date of Decision: 20.12.2019**

Naresh Kumar and others ... Petitioners
Versus
State of Punjab and others ... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Vikas Chatrath, Advocate,
for the petitioners.

Ms.Monica Chhibber Sharma, Sr.DAG, Punjab.

ARUN MONGA, J.(ORAL)

Petitioners herein seek issuance of a writ in the nature of certiorari quashing the Memo dated 29.04.2010 (Annexure P-5) vide which the benefit of ACP Scheme as formulated vide Policy Circular dated 03.11.2006 (Annexure P-4) has been declined to the Junior Engineers/Assistant Engineers working the Department in view Judgement contained at Annexure P-6 and for issuance of writ of mandamus directing the respondents to grant benefit of ACP as formulated vide aforesaid policy alongwith all consequential benefits.

2. Learned counsel for the petitioners also submits that his case is squarely covered by the Judgment of this High Court passed in **Jaswinder Singh and others vs. State of Punjab and others**, CWP No.32849 of 2019 decided on 14.11.2019, contained at Annexure P-11.

3. In the premise, petitioners also submitted

representation dated 28.10.2019, contained at Anenxure P-12, but the same has not been adverted by the respondents till date. Hence, the writ petition.

4. Notice of motion.

5. On advance service of the petition, Ms.Monica Chhibber Sharma, Sr.DAG, Punjab, appears and accepts notice on behalf of the State.

6. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the representation dated 28.10.2019 contained at Anenxure P-12, and also by keeping in view the contentions raised in the present writ petition by treating it as a supplementary representation and Judgment *ibid*, and pass a fresh speaking order, in accordance with law.

8. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

9. Disposed of in above terms.

20.12.2019
dharamvir

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No