

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-398 of 2020

Date of decision: 09.01.2020

Nirmal 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.

In the present writ petition, the claim of the petitioner is that she is entitled for grant of Assured Career Progression scheme on completion of eight years of service in January, 2005 and further grant of the same benefit on completion of nine years of service in November, 2006 but the said benefit has not been extended to her without any valid justification. Prayer of the petitioner is for issuance of direction to the respondents to release the benefit of ACP to her on completion of eight years of service in January, 2005 and nine years of service in November, 2006 w.e.f. 1.11.2006.

Petitioner has approached this Court after about eight years of her retirement. The grievance raised in the present writ petition arose in January, 2005 i.e. about 15 years ago. There is no explanation given by the learned counsel for the petitioner for the delay in approaching the Court.

Learned counsel for the petitioner states that the petitioner will not claim arrears for the period before filing of the legal notice dated 11.10.2019

(Annexure P/2) served by her to the respondents and she will be satisfied, at this stage, in case a time bound direction is issued to the respondent No.2 to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondent No.2 is directed to decide legal notice dated 11.10.2019 (Annexure P/2) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case it is found that petitioner is entitled for grant of ACP as claimed in the present writ petition, the arrears will be extended to her only from the date of legal notice i.e. 11.10.2019.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

09.01.2020
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |