

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

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**CWP No.7131 of 2020 (O&M)
Decided on : 25.09.2020**

Ramandeep Sharma and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Amrik Singh, Advocate for the petitioner (s).

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

In the present writ petition filed under Articles 226/227 of the Constitution of India, the petitioners seek directions for issuance of a writ in the nature of certiorari by quashing the memo dated 29.04.2020 (Annexure P-5), vide which the benefit of Assured Career Progression (ACP) Scheme as formulated vide Policy Circular dated 03.11.2006 (Annexure P-4) has been declined to the category of Junior Engineers/Assistant Engineers working in the department in an illegal, arbitrary and unjustified manner.

The said claim is based on the judgment dated 20.05.2013 passed in **CWP No.16446 of 2010 'Jaswinder Singh Bedi and others Vs. State of Punjab and others'** (Annexure P-6), wherein the same memo was under challenge and the benefit was also sought as per the ACP Scheme dated 03.11.2006.

It is the case of the counsel for the petitioner that the appeal of the State as such bearing **LPA No.244 of 2014** was dismissed on 19.12.2014 (Annexure P-7).

It is, thus, submitted that a legal notice dated 27.01.2020 (Annexure P-9) has been served upon the respondents for the necessary claim and the petitioners would be satisfied if the respondents take a decision on the same within a time bound period. It is also brought to notice of the Court that similar directions have been issued to decide the legal notice in **CWP No.10979 of 2020 'Parshotam Kumar and others Vs. State of Punjab and others'** decided on 30.07.2020 (Annexure A-1).

Notice of motion.

Ms. Kanica Sachdeva, AAG, Punjab accepts notice on behalf of the respondents.

Accordingly, without commenting upon the merits of the case, the present petition is disposed of with the direction to respondents/competent authority to take a decision on the legal notice dated 27.01.2020 (Annexure P-9) within a period of 3 months from today.

In case, the petitioners are held entitled for the said relief, the financial benefits be disbursed to them within a period of 2 months, thereafter. In case, the respondents find that the petitioners are not entitled for the said relief, a detailed speaking order be passed and communicated to them.

Disposed off.

SEPTEMBER 25, 2020

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No