

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.11489 of 2020
Date of Decision: 10.08.2020

Raman Kumar & Ors.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. PK Garg, Advocate for the petitioners

Ms. Anju Arora, Addl. AG Punjab

GIRISH AGNIHOTRI, J. (Oral)

(1) The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

(2) Notice of motion. Ms. Anju Arora, Addl. AG Punjab accepts notice, through video conferencing. In view of the nature of order which this Court proposes to pass, there is no necessity to call upon the respondents to file their reply, at this stage.

(3) The present writ petition has been filed by petitioner Raman Kumar and 20 others *inter alia* seeking a writ of mandamus directing the respondents to grant them the benefit of ACP notified by the Punjab Govt. on 03.11.2006 (P4) along with arrears and interest thereupon.

(4) Counsel for the petitioners submit that the issue raised herein has been decided in favour of the employees/retirees vide judgment of this Court passed in **CWP No.16446 of 2010 (Jaswinder Singh Bedi & Ors. vs. State of Punjab & Ors.)** decided on 20.05.2013 which has been upheld initially by the LPA Bench (P7) and then by the Hon'ble Supreme Court in SLP(C) No.15981/2015 (P8).

(5) At this stage, learned counsel submits that for the same/similar grievance made in the present writ petition, the petitioners have got served an legal notice dated 15.03.2020 (P9) but the same have not been decided till date.

(6) Having heard learned counsel for the parties, this Court deems it appropriate to dispose of the writ petition, without commenting upon the merits of the case, by directing the competent authority to consider and decide the petitioners' claim as raised in their legal notice (P9) in view of the judgments of this Court as well as of the Hon'ble Supreme Court, referred to above, as early as possible and preferably within four months from the date of receipt of certified copy of this order.

(7) Needless to say that in case the petitioners are found entitled to the said benefits, the same be released in their favour within above stipulated time frame.

(8) So ordered.

10.08.2020
Vvishal

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No