

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

CWP No. 15485 of 2020

DATE OF DECISION :- September 28, 2020

Karnail Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Ms. Gagandeep Kaur, Advocate for the petitioners.

The case has been taken up through Video Conferencing.

Petitioners Karnail Singh and 43 others have approached this Court by way of filing the instant Civil Writ Petition under Article 226/227 of the Constitution of India against respondents i.e. State of Punjab through the Secretary, Public Works Department, The Principal Secretary, Department of Finance, Government Punjab, The Chief Engineer (HQ), Public Works Department, Patiala for issuance of a writ in the nature of mandamus directing the respondents to grant the petitioners the benefit of ACP Scheme (4-9-14 years) as framed vide notification dated 3.11.2006 along with the consequential benefits in compliance with the judgment dated 20.5.2013 passed by this Court in CWP No. 16446 of 2010 titled 'Jaswinder Singh Bedi etc. vs. State of Punjab etc.' upheld by the Apex Court vide judgment dated 4.9.2015.

According to the petitioners they are/were posted/appointed as Junior Engineers in the erstwhile Department of Public Works Department (B&R), Punjab and they are entitled to get the benefit of ACP Scheme as claimed by them in the writ petition. They had served legal notice dated 25.8.2020 upon the respondents for grant of this benefit but no response was given by the respondents

thereto, as such they have knocked at the door of this Court by way of filing the present writ petition.

Notice of motion.

Mr. Vikas Mohan Gupta, Addl. A.G., Punjab has accepted notice on behalf of the respondents.

Learned counsel for the petitioners submits that petitioners shall be satisfied if a direction to the respondents especially respondent No. 3 is issued to consider the claim of the petitioners within a fixed time frame. Learned State counsel states that respondents would comply with any such direction issued by this Court.

Accordingly, the present writ petition is disposed of directing the respondents especially respondent No. 3 to consider the legal notice dated 25.8.2020 (Annexure P-12) and take necessary action as warranted by the facts and circumstance of the case and settled legal position within a period of two months from the date of receipt of certified copy of this order.

It is made clear that since the writ petition has not been decided on merits, in case after disposal of their representation the petitioners still feel aggrieved by the decision taken by the respondents then they shall be entitled to take recourse to the legal remedy, in accordance with law.

**(H.S. MADAAN)
JUDGE**

September 28, 2020
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No