

Sr. No.109

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20526-2020

Date of Decision: 02.12.2020

Sunil Kumar Gupta

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Amrik Singh, Advocate,
for the petitioner.

Ms. Akshita Chauhan, AAG, Punjab.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioners herein seek issuance of a writ in the nature of mandamus directing the respondents to grant them Assured Career Progression (ACP) step up increments from the date when they actually complete 4/9/14 years, as the case may be, immediately and not from 1st of January of next year, as has been done in their case.

2. Learned counsel for the petitioners relies on the orders/judgments rendered by this Court vide ***CWP No.5956 of 2015*** titled as ***“Manjit Singh Bahra VS. The Principal Secretary, Department of Irrigation, Punjab and others”***, decided on ***10.01.2017*** (Annexure P-5) and ***CWP No.14913 of 2015*** titled as ***“Nareshjit Singh Anand and others Vs. State of Punjab and another”*** decided on ***06.12.2019*** contained at Annexure P-17.

3. In the aforesaid premise, petitioners submitted various representations contained at Annexures P-10 to P-14 followed by legal notice dated 30.10.2020 (Annexure P-15) to the respondents but the same

have not been adverted to by the respondents till date. Hence, the instant petition.

4. Notice of motion.

5. Ms. Akshita Chauhan, AAG, Punjab who has joined proceedings on service of advance copy of the petition appears and accepts notice on behalf of the respondents-State of Punjab.

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

7. Without commenting on the merits of the case, writ petition is disposed of with a direction to the competent authority to look into the legal notice dated 30.10.2020 (Annexure P-15) and also by keeping in view the judgments rendered by this Court contained at Annexures P-5 and Annexure P-17 and decide the same by passing a speaking order, in accordance with law.

8. Let the needful be done within a period of 03 months from today.

9. In case, a favourable order is passed then the benefit thereof be accorded to the petitioners within a period of 03 months thereafter.

10. Disposed of accordingly.

DECEMBER 02, 2020

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable

Yes/No