

Sr. No.115

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20534-2020

Date of Decision: 02.12.2020

Daljit Singh and others

...Petitioners

Vs.

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vikas Chatrath, Advocate,
for the petitioner.

Ms. Akshita Chauhan, AAG, Punjab.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioners herein, *inter alia*, seek issuance of a writ in the nature of mandamus directing the respondents to grant them benefit of ACP Scheme as formulated vide Policy/Circular dated 03.11.2006 (Annexure P-4) along with all the consequential benefits and to pay the arrears along with interest from the date of its accrual till its actual realization and allow them to submit their options in the light of the judicial pronouncements. Especially, when the State has accepted the claim while vide its speaking order dated 03.08.2017 (Annexure P-14).

2. Learned counsel for the petitioners submits that case of the petitioners is squarely covered by the judgment rendered by this Court in ***CWP No.16446 of 2010 titled as "Jaswinder Singh Bedi and others Vs. State of Punjab and others"*** decided on 20.05.2013 contained at **Annexure P-8**, which has attained finality.

3. Department of Finance issued a circular/instructions dated 03.03.2020 (Annexure P-19) whereby it was decided to release all consequential benefits to all the petitioners, whose cases/petitions had been

disposed of in terms of judgment dated 20.05.2013 (Annexure P-8), contends the learned counsel.

4. Learned counsel further submits that in the premise petitioners caused issuance of a legal notice dated 12.09.2020 (Annexure P-20) to the respondents but the same has not been adverted to by the respondents till date. Hence, the instant petition.

5. Notice of motion.

6. 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.

7. 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.

8. 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 12.09.2020 (Annexure P-20) and also by keeping in view the judgment rendered by this Court contained at Annexures P-8 and decide the same by passing a speaking order, in accordance with law, as expeditiously as possible.

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:
Whether reportable

Yes/No
Yes/No