

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

123

CWP-1756-2021

Date of decision: 27.01.2021

Harjit Singh and others

.....Petitioners

versus

State of Punjab and others

...Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Ms. Sudha, Advocate for the petitioners.

Ms. Sunint Kaur, Assistant AG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

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

Petitioner-Harjit Singh and ten others, have jointly filed the present petition *inter alia* with a prayer for issuance of a writ in the nature of mandamus by directing the respondents to release the benefits of Assured Career Progression (ACP) Scheme as formulated vide Policy Circular dated 03.11.2006 (Annexure P-1) including all other consequential benefits viz. re-fixation of pay, arrears of benefits along with interest from the date of accrual till its actual realization, along with further prayers as mentioned in the prayer clause of the writ petition.

Learned counsel for the petitioners based on pleadings, submits that letter dated 29.04.2010 was challenged in CWP No.16446 of 2010 titled as 'Jaswinder Singh Bedi and Others Vs. State of Punjab and others'. It

is submitted that vide judgment dated 20.05.2013, the writ petition was allowed, the letter dated 29.04.2010 was quashed and it was held that the petitioners therein are entitled to the benefits as per circular dated 03.11.2006. Learned counsel further submits that the said judgment has attained finality. Learned counsel however submits that for the same/similar grievances as made in the present writ petition, the petitioners had served a Legal Notice dated 15.09.2020 (Annexure P-8), but till date no action has been taken. Learned counsel then states that the petitioners would be satisfied, if a time bound directions be issued to respondents to decide the claim of the petitioners as made in Legal Notice (Annexure P-8).

Notice of motion.

On asking of the Court, Ms. Sunint Kaur, Assistant AG, Punjab, accepts notice on behalf of respondents-State.

In view of the above and without commenting on the merits of the case, the present writ petition is disposed of with a direction to respondent-Competent Authority to consider the Legal Notice (Annexure P-8) and decide the same in accordance with law, as expeditiously as possible, preferably within a period of 04 months from the date of receipt of certified copy of this order.

Ordered accordingly.

(GIRISH AGNIHOTRI)
JUDGE

27.01.2021

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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No