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

CWP-8083-2021

Date of decision : 08.04.2021

Harbhajan Singh Gill and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. Siddharth Gupta, Advocate for the petitioners.

G.S. SANDHAWALIA, J. (ORAL)

The petitioners seek benefit of Assured Career Progression Scheme as formulated vide Policy Circular dated 03.11.2006 (Annexure P-4). It is the case of the petitioners that it has not been implemented to the category of Junior Engineers/Assistant Engineers working in the Department of Water, Resources (Irrigation).

Counsel for the petitioners submits that the case of the petitioners is covered by the judgment passed by this Court in CWP-16446-2010 titled as Jaswinder Singh Bedi and others Vs. State of Punjab and others, decided on 20.05.2013 (Annexure P-6). Counsel has submitted that the said order has been further upheld by the Division Bench in LPA-244-2014, titled as State of Punjab and others Vs. Jaswinder Singh Bedi and others, decided on 19.12.2014 (Annexure P-7). In similar circumstances, the directions have also been issued in CWP-36591-2019 titled as Narinder Kumar Narang and others Vs. State of Punjab and others, decided on 17.12.2019 (Annexure P-9). Counsel has pointed out that in pursuance of the

said directions to decide the issue, necessary benefits as such have also been granted by respondent No.4 vide order dated 24.06.2020. It is the case of the petitioners that they have served legal notice dated 22.03.2021 to the respondents (Annexure P-11).

Notice of motion.

Ms. Lavanya Paul, AAG, Punjab, accepts notice on behalf of respondent Nos.1 to 3.

Keeping in view the above facts, this Court does not feel it necessary to call upon the State to file its reply as legal notice has just been served upon the respondents and it would delay the decision making process.

Accordingly, without commenting upon the entitlement of the petitioners as such on merits, the present writ petition is disposed of with direction to respondent No.4 to decide the legal notice of the petitioners within a period of 3 months from the date of receipt of certified copy of this order, keeping in view the contentions raised by the counsel for the petitioners.

In case, the petitioners are found entitled for the said amount, the necessary disbursement be made to them within a period of two months thereafter. In case, there is legal impediment as such, it is open to respondent No.4 to pass speaking order denying the petitioners the relief claimed.

The writ petition is disposed of with the abovesaid directions.

08.04.2021

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**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No