

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

(117)

CWP No. 14709 of 2021

Date of Decision : 05.08.2021

Vikash Kumar

....Petitioner

Versus

Haryana State Pollution Control Board and another

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. R.K. Malik, Senior Advocate with
Mr. Sandeep Dhull, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned senior counsel appearing on behalf of the petitioner submits that once the petitioner was given appointment with retrospective effect, 8 years to be counted for the grant of Assured Career Progression Scheme benefit, is to be taken from the date of appointment and not from the date of joining. Learned senior counsel for the petitioner further submits that the persons, who are junior to the petitioner as Junior Environmental Engineer, have already been promoted further and the claim of the petitioner has only been ignored on the ground that the diploma qualification of the petitioner is yet to be ascertained whether the same is a valid qualification or not.

Learned senior counsel argues that as of now, there is no order

passed by any competent Court of Law, where the diploma obtained through the Distance Education mode has been treated as invalid and the petitioner has already approached the respondents by serving upon them a legal notice dated 30.06.2021 (Annexure P-7), which is still pending consideration with the respondents and petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 1 to decide the same by passing an appropriate speaking order.

Notice of motion.

Mr. Sharad Aggarwal, learned Assistant Advocate General, Haryana, who has also joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State. Learned State counsel raises no objection in deciding the legal notice dated 30.06.2021 (Annexure P-7) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 30.06.2021 (Annexure P-7), respondent No. 1 is directed to decide the legal notice dated 30.06.2021 (Annexure P-7) by passing a speaking order within a period of three months from the receipt of copy of this order.

Present writ petition stands disposed of.

August 05, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*