

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

108

CWP-13150-2022

Date of Decision :29.07.2022

Gulshan Kumar and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Subhash Ahuja, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners argues that the petitioners are working on the post, which does not have any promotional avenue hence, keeping in view the Instructions issued by the respondent-State of Haryana, the petitioners are entitled for the grant of benefit of ACP after a fixed number of years, which benefit has not been extended to them by the respondents on the ground that the respondent-department is considering to amend the rules so as to grant the promotional avenue in respect of the post held by the petitioners.

Learned counsel for the petitioners submits that even if, after the consideration by the respondents, promotional avenue is granted, the same will be prospective and the right for the grant of ACP, which the petitioners already have, cannot be taken away from them hence, the petitioners are entitled for the grant of benefit of ACP under the Rules governing the service coupled with the Instructions issued by the

respondent-State of Haryana.

Notice of motion.

Mr. Kiran Pal Singh, AAG, Haryana who is present in the Court accepts notice on behalf of the respondent-State and on instructions from Ms. Aakriti, L.A. O/o Elementary Education, Haryana submits that the department will finalise its consideration, as to whether, the rules with regard to grant of promotional avenue needs to be amended as well as whether the petitioners are entitled for the grant of benefit of ACP within a period of two months from the date of receipt of copy of this order and in case after the consideration, the petitioners are found entitled for any relief, the same will be extended to them within a period of next four weeks.

Learned counsel for the petitioner submits that keeping in view the above, the present petition may kindly be disposed off having been not pressed any further.

Ordered accordingly.

July 29, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No