

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

Sr. No.124

CWP No.13253 of 2022

Date of Decision: 04.07.2022

Subhash Chander Gupta

.... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajeev Anand, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that the petitioner was entitled for the grant of ACP in the year 2003 but the same was not granted by the respondents despite the petitioner being eligible for the same. Learned counsel submits that even after the retirement, the claim of the petitioner though not granted but remained under active consideration, which fact is clear from the noting file attached with the petition. Learned counsel submits that there is no impediment in the grant of ACP after rendering 4 years service in the same cadre.

Learned counsel submits that the said grievance has also been raised by the petitioner before the respondents by serving upon them a legal notice dated 07.09.2021 (Annexure P-26), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.2 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Amitoj Singh Dhaliwal, Deputy Advocate General, Punjab accepts notice on behalf of the respondents and raises no objection in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 07.09.2021 (Annexure P-26) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 07.09.2021 (Annexure P-26), this petition is disposed of with a direction to respondent No.2 to pass an appropriate speaking order on the legal notice dated 07.09.2021 (Annexure P-26) filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order.

(HARSIMRAN SINGH SETHI)
JUDGE

04.07.2022
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No