

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

**113**

**CWP-19205-2021**

**Date of decision : 11.05.2022**

**SURINDER KUMAR GARG**

..... Petitioner

**VERSUS**

**STATE OF HARYANA AND OTHERS**

..... Respondents

**CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

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Present :- Mr. Gauravindra Sharma, Advocate  
for the petitioner.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

Learned counsel for the petitioner argues that the petitioner is entitled for the grant of ACP scale keeping in view the letter of the Finance Department dated 04.03.2014 (Annexure P-3) by taking into consideration the date of appointment of the petitioner as 21.07.1983 and thereafter, release the salary as well as the pensionary benefits in accordance with the revised pay along with interest.

Learned counsel for the petitioner further argues that as per notification dated 04.03.2014 (Annexure P-3), ACP is to be granted to the employees after 10, 20 and 30 years of services, which benefit has not been extended to the petitioner and that too without any valid justification and therefore, keeping in view the facts and circumstances of the present case, the respondents are under obligation to grant the petitioner the benefit of ACP as recommended and approved by the notification dated 04.03.2014 (Annexure P-3).

Learned counsel for the petitioner further submits that for the

relief, which is being claimed in the present writ petition, the petitioner has already served the respondents with a legal notice dated 20.12.2019 (Annexure P/5), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

On the asking of the Court, Mr. Raman Kumar Sharma, Additional A. G. Haryana, accepts notice on behalf of respondents-State and states that legal notice dated 20.12.2019 (Annexure P/5) submitted by the petitioner will be decided within a period of eight weeks from today and in case, after the decision, it is found that any action needs to be taken, the same will also be taken without any further delay.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.2 is directed to decide legal notice dated 20.12.2019 (Annexure P/5) submitted by the petitioner by passing a speaking order within a period of eight weeks from the date of receipt of a copy of this order.

Present writ petition stands disposed of.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**11.05.2022**

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Whether speaking/reasoned  
Whether Reportable :

Yes  
No