

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

127

CWP-3498-2023

Date of decision:21.02.2023

Ram Avtar

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Sandeep Thakan, Advocate for the petitioner.

SUVIR SEHGAL J. (ORAL)

Instant writ petition has been filed under Article 226/227 of Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents to release the 2nd Assured Career Progression (ACP) and other allowances.

Counsel for the petitioner submits that the petitioner was engaged on daily wages on the post of Mali-cum-beldar, a Group 'D' post and his services were regularized with effect from 01.10.2003. Counsel submits that on completing the requisite period, petitioner was granted the first ACP benefit, but second ACP and some other allowances have also not been paid to the petitioner, even though he is entitled to them. Reference has been made by him to judgment dated 23.09.2022, Annexure P-10, passed by this Court. Counsel submits that a legal notice dated 12.10.2022, Annexure P-12, has been served upon the respondents and the petitioner would be satisfied, in case, a direction is issued to them to look into the legal notice, Annexure P-12.

Notice of motion.

On asking of the Court, Mr. R.K.S. Brar, Addl. A.G., Haryana, accepts notice on behalf of the respondents.

Given the nature of order being passed, but without commenting upon the claim raised by the petitioner in the writ petition or in the legal notice, petition is disposed of with a direction to respondent No.3 to examine the legal notice, Annexure P-12, within a period of 04 months from the date of communication of the order. In case, the petitioner is not found entitled to the benefits claim, an order be passed assigning reasons for rejection.

21.02.2023
sheetal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No