

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

232

CWP No. 5339-2020 (O&M)
Decided on : 17.10.2023

DR. SHAVINDER KAUR

...PETITIONER

Versus

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Shubham Saroha, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the claim of the petitioner is for the grant of 2nd ACP.

2. Learned counsel for the petitioner argues that in the present petition, the petitioner was entitled for the grant of 1st and 2nd ACP from a date of his entitlement, but the said ACP has not been granted to him and that too without any valid jurisdiction.

3. Learned counsel for the respondents submits that vide order dated 20.09.2023 having endorsement dated 03.10.2023, the benefits of 1st ACP has been given to the petitioner from 01.01.1996 in the post of WCDPO and also the 2nd ACP has been granted in the grade pay of Rs. 4800/- w.e.f. 01.02.2008 and therefore, the claim raised by the petitioner stands satisfied.

4. Learned counsel for the petitioner submits that though an order has been passed but no consequential benefits have been released so far, therefore, the respondents be directed to release the consequential benefits in a time bound manner.

5. Learned counsel for the respondents submits that benefits in

pursuance to the order order 20.09.2023 having endorsement dated 03.10.2023 will be released to the petitioner within a period of 08 weeks from the date of receipt of certified copy of this order.

6. Learned counsel for the petitioner submits that as the benefits have been released in the year 2023 but with retrospective effect, the petitioner is also entitled for the grant of interest on the said benefits and the petitioner be granted liberty to file an appropriate representation for claiming the said benefits alongwith interest.

7. Learned State counsel submits that in case, any representation qua consequential benefits alongwith interest has been filed by the petitioner before the appropriate authorities, the same will be considered and decided in accordance with law within a period of eight weeks from the date of receipt of a copy of this order by passing appropriate speaking order and in case, after the decision, the petitioner is found entitled for any benefit, the same will be extended to him within a further period of four weeks.

8. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed, at this stage, with liberty to file a representation with respondents so as to raise all the claims as raised in the present petition.

9. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

17.10.2023

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No