

CWP- 12667-2023 (O&M)

-1-

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

CWP- 12667-2023 (O&M)
Date of Decision:21.08.2023

Harjeet Singh

... Petitioner

V/s.

The State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Avikaran Bansal, Advocate
for the petitioner.

DEEPAK MANCHANDA, J.(Oral)

Present writ petition has been filed under Article 226/227 of the Constitution of India by the petitioner for directing the respondents to pay/release the arrears of A.C.P. (Assured Career Progression) Scheme increment after completion of 16 years of regular service to the petitioner along with 18% interest, which is illegally withheld and delayed by the respondents.

Learned counsel for the petitioner submits that the petitioner joined the respondent-department as Clerk on 01.12.1980 and served in the office of Nagar Council Kotkapura and thereafter in the year 2016 he was transferred to Nagar Panchayat Maluka District Bathinda and he remained there till his retirement i.e. from 01.10.16 to 31.08.17. Thereafter the petitioner retired as

Inspector from the office of Nagar Panchayat Maluka, District Bathinda on 31.08.2017. It is pertinent to mention that the increments of completion of 24 years of service and 32 years of service has already been released by the department but the increment of completion of 16 years service benefit was never released to the petitioner. It is also submitted that the petitioner is entitled for the interest @ 18% on the delayed payment of arrears for the above-mentioned period. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the representations dated 31.08.2017 (Annexures P-1 and P-2 respectively), which are still pending consideration with respondent No. 4 and 5 respectively. He admits that the said representations are without complete details and undertakes to submit the detailed representations to respondent No. 4 and 5 and that the petitioner will be satisfied at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

At this stage, on the asking of the Court, Mr. Arun Gupta, AAG, Punjab accepts notice on behalf of respondent Nos. 1 , 2 and 3 and Mr. Sanjeev Soni, Advocate has put in appearance on behalf of respondent No. 4 and 5 and raises no objection in deciding the fresh representation (if submitted within two weeks) in a time bound manner by passing an appropriate speaking order.

I have heard learned counsel for the parties and have gone through the record of the case.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondents are directed to decide the fresh representation, if filed within two weeks of passing of this order, by passing a speaking order within a period of eight

weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim mentioned in the representation, necessary disbursement of funds shall be made to him within a period of eight weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

21.08.2023

seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No