

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

(115)

CWP-19154-2023

Date of Decision : August 31, 2023

Ashwani Kumar**.. Petitioner****Versus****State of Haryana and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Ramesh Goyat, Advocate, for the petitioner.

Mr. Tapan Kumar Yadav, Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the prayer of the petitioner is that he should be granted 3rd Financial Upgradation/ 2nd ACP in the Grade Pay of Rs.9300-34800+4000 after completing 16 years of regular service in the cadre of Assistant, which benefit is not being given to him without any valid justification.

2. Learned counsel for the petitioner submits that the grievance raised in the present petition has already been raised in the legal notice dated 03.03.2023, a copy of which has been appended with this petition as Annexure P-6. Learned counsel for the petitioner further submits that the claim of the petitioner has already been recommended by the authorities concerned to the competent authority but no final action is being taken, hence, the petitioner will be satisfied, at this stage, in case a time bound

direction is issued to the respondents to decide the said legal notice by

passing an appropriate speaking order.

3. Notice of motion.

4. Mr. Tapan Kumar Yadav, learned Deputy Advocate General, Haryana, accepts notice on behalf of the respondents.

5. Learned counsel for the respondents submits that in case legal notice dated 03.03.2023 (Annexure P-6) has been received in the office of the authorities concerned and the same is still pending consideration as of now, appropriate order will be passed on the said legal notice within a period of eight weeks of the receipt of the copy of this order and in case after the decision of the legal notice, the petitioner is entitled for any benefit, the same will also be extended to the petitioner within a further period of four weeks.

6. 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 any further.

7. Ordered accordingly.

August 31, 2023

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No