

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101)

CWP No.26240 of 2022

Date of Decision : 09.08.2023

Ompati

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Malik, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed by the petitioner, challenging the order dated 24.12.2018 (Annexure P-9) passed by the respondents vide which the date of grant of benefit of 1st ACP has been changed which has caused prejudice to the petitioner.

Learned counsel for the petitioner argues that the husband of the petitioner was granted 1st ACP from the year 1995 but thereafter the said date was changed to 2001 and that too not only after the retirement of the petitioner but after his death, which is not permissible. Learned counsel submits that while passing the impugned order, the said fact has not been taken into account and no date has been mentioned in the impugned order as to when the benefit of 1st ACP given from 1995, has been withdrawn, which is causing prejudice to the petitioner.

Learned counsel for the petitioner submits that as the impugned order has been passed by the General Manager, the petitioner intends to approach the higher authorities by raising all these objections by filing representation and the respondents be directed to decide the same in a time bound manner so that the petitioner does not suffer any prejudice.

Notice of motion.

On the asking of the Court, Mr. Pankaj Middha, learned Additinal Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents.

Learned counsel for the State submits that in case any representation is filed before the higher authorities raising any grievance qua the impugned order dated 24.12.2018 (Annexure P-9), appropriate order will be passed by the said authority keeping in view the facts and circumstances of the present case as well as the objection being raised qua the impugned order within a period of eight weeks of the receipt of any such representation.

Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may be disposed of as having been not pressed any further with liberty to file appropriate representation before the Director General Transport, Haryana.

Ordered accordingly.

August 09, 2023
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No