

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CWP-23268-2023

Date of Decision : October 13, 2023

Randhir Singh and others

...Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.S. Swaich, Advocate for the petitioners.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners submits that the petitioners are entitled for the grant of benefit of ACP on completion of 10 years of service and not from the date of passing the Kanungo examination keeping in view the settled principle of law settled by the Coordinate Bench of this Court while passing order in CWP-15840 of 2015, which judgment has already been upheld upto the Hon'ble Supreme Court of India.

Learned counsel for the petitioners submits that the said benefit has not been extended to the petitioners on the ground that petitioners have not approached the Court for the grant of the same, which act on the part of the respondents is contrary to the settled principle of law settled by the Division Bench of this Court in **Satbir Singh vs. State of Haryana 2002 (2) S.C.T 354**, wherein, it has been held that in case a question of law is settled, all the similarly situated persons must be extended the benefit of the same

without forcing them to approach the Court.

Learned counsel for the petitioners submits that the petitioners have already raised the said claim before the respondents by way of serving a legal notice dated 31.08.2023 (Annexure P/22), which is still pending consideration with the respondents and the petitioners will be satisfied in case the respondents are directed to decide the said legal notice in a time bound manner.

Notice of motion.

Mr. Sourabh Mohunta, DAG, Haryana, who is present in the Court accepts notice on behalf of the respondent-State and submits that in case the said legal notice dated 31.08.2023 (Annexure P/22) is still pending consideration with the authority concerned, the same will be decided within a period of 08 weeks by keeping in view the settled principle of law from the date of receipt of copy of this order and in case after the decision the petitioners are found entitled for any relief, the same will also be extended to them within a period of next four weeks.

Learned counsel for the petitioners submits that keeping in view the statement made by learned counsel for the respondents, present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

October 13, 2023

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No