

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-26205-2023

Date of decision : 22.11.2023

Joginder Pal and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms.Harmeet Kaur, Advocate for
Ms.Kriteka Sheokand, Advocate
for the petitioners.

Mr.Ferry Sofat, Addl.A.G. Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ of mandamus directing the respondents to revise the pay scale and grant the designation of Assistant Engineer under the Assured Career Progression Scheme as formulated vide policy circular dated 27.06.2000 (Annexure P-2) and 03.11.2006 (Annexure P-3) along with the consequential benefits with interest @ 18% per annum from the date of its accrual till realisation.

2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners, the petitioners have given a detailed legal notice dated 23.10.2023 (Annexure P-9) and at this stage, would be satisfied in case the said legal notice is considered by the competent authority of the respondents in a time bound manner and if after considering the same, in case, the plea by the petitioners is found to be meritorious, then

necessary relief be granted to the petitioners.

3. Learned State counsel has submitted that the competent authority of the respondents would consider the said legal notice and decide the same within a period of 6 weeks from the date of the receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of the respondent State to consider the legal notice dated 23.10.2023 (Annexure P-9) of the petitioners and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 6 weeks from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioners is found to be meritorious, then necessary relief be granted to the petitioners and in case, the plea of the petitioners is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 6 weeks from the date of the receipt of certified copy of the present order.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of the respondent State would consider and decide the legal notice independently, in accordance with law. All the issues including the issue of delay is kept open.

(VIKAS BAHL)
JUDGE

November 22, 2023.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No