

CWP-4114-2024

1

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

(292)

CWP-4114-2024

Date of Decision : December 18, 2024

Naresh Kumar

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

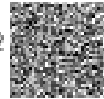
Present: Mr. D.S. Patwalia, Senior Advocate, with
Mr. Adityajit Singh Chadha, Advocate, for the petitioner.

Mr. Charan Preet Singh, Assistant Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance being raised by the petitioner is that though the petitioner was appointed as Accountant in the year 1997 which services were regularized in the year 2009 (Annexure P-10), the petitioner has not been granted the benefit of ACP on completion of 04 years of service as Accountant and on completion of 04 years service on the post of Section Officer on which post, the petitioner was promoted in the year 2016 (Annexure P-13).

2. Learned counsel for the respondents submits that the appointment of the petitioner as Accountant is under scrutiny as of now and the same is pending and in case, after the enquiry, the petitioner get any right to continue on the post of Accountant or any other post, the claim of the petitioner for the grant of ACP will also be considered accordingly.

**CWP-4114-2024****2**

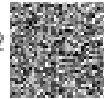
3. At this stage, learned senior counsel for the petitioner submits that the departmental enquiry qua the appointment to the post of Accountant is already complete and the respondents are keeping the same pending despite the fact that enquiry report has already been submitted by the Enquiry Officer.

4. Learned counsel for the respondents submits that the disciplinary proceedings pending against the petitioner will be finalized within a period of two months from the date of receipt of copy of this order and after concluding the disciplinary proceedings, the claim of the petitioner for the release of the ACP as being claimed in the cadre of the Accountant as well as Sectional Officer will also be considered and within a further period of eight weeks, speaking order will be passed qua the entitlement of the petitioner for the grant of ACP and in case, after the conclusion of the departmental proceedings, the petitioner is found entitled for any benefit, the same will be decided by passing an appropriate speaking order as detailed hereinbefore.

5. Learned senior counsel for the petitioner submits that the petitioner has been transferred to a place where there is no office of Technical Education Board hence, the petitioner is being harassed.

6. Learned counsel for the respondents submits that even the said plea of the petitioner will be considered after the conclusion of the disciplinary proceedings and in case, any order needs to be passed qua the posting of the petitioner at Ropar, appropriate order will be passed.

7. Learned senior counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present



CWP-4114-2024

3

writ petition may kindly be disposed of having been not pressed any further.

8. Ordered accordingly.

December 18, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No