

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

126

CWP-7807-2024 (O&M)
Date of decision: 08.04.2024

Sukhwinder Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ashish Aggarwal, Advocate for the petitioner

AMAN CHAUDHARY. J. (ORAL)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus thereby directing the respondents to release Assured Career Progression (ACP) Proficiency Step-up for completion of 8, 9 and 14 years of service.

2. Learned counsel would contend that the petitioner after being acquitted of the charges in FIR No.247 dated 16.08.2001 on 13.03.2015, was granted reinstatement and the period from 05.03.2001 to 21.12.2004, during which he was placed under suspension, was treated to be spent on duty. However, he has not been granted the ACP and Proficiency Step-up, regarding which there were recommendations by District Social Security Officer, Tarn Taran vide letters dated 11.01.2022 and 11.11.2022, Annexures P-4 and P-4/A. In this regard, a legal notice dated 06.03.2024, Annexure P-5, has been served upon respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting him an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider and decide the legal notice dated 06.03.2024, Annexure P-5, taking note of the letters, Annexures P-4 & P-4/A as also the pleas raised within a period of 4 months and if found entitled, necessary benefits be granted to the petitioner forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating him therewith.

(AMAN CHAUDHARY)
JUDGE

08.04.2024
M.Kamra

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No