

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.11438 of 2021 (O&M)
Date of decision: 16.04.2024

Harish Kumar and others
.....Petitioners
Versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Amrik Singh, Advocate
for the petitioner.

Ms. Arundhati Kulshreshtha, AAG, Punjab
for respondents No.1 to 4.

Mr. A.S. Manaise, Advocate for respondent No.5.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari, for quashing the memo dated 29.04.2010 (Annexure P-5) vide which the benefit of Assured Career Progression Scheme (ACP) as formulated vide Policy Circular dated 03.11.2006 (Annexure P-4) has been declined to the category of Junior Engineers/Assistant Engineers.
2. Learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the judgment titled as “*Jaswinder Singh Bedi and others vs State of Punjab and others*”, passed in CWP No.16446 of 2010, decided on 20.05.2013 (Annexure P-6) and the judgment titled as “*State of Punjab vs Jaswinder Singh Bedi and others*”, passed in LPA No.244 of 2014, decided on 19.12.2014

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(Annexure P-7). He further submits that for claiming the relief of Assured Career Progression on completion of 04/09/14 years of service, the petitioners have served a legal notice dated 25.03.2021 (Annexure P-9), which has not been responded to by the respondents till date and he would be satisfied if their claim so made in the legal notice is considered and decided by the respondents in a time bound manner.

3. Learned counsel for the respondents have no objection to the innocuous prayer made by learned counsel for the petitioners.

4. I have heard learned counsel for the parties and have gone through the record of the case.

5. Without expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition, respondent No.4 is directed to consider and decide the claim made by the petitioners in the legal notice dated 25.03.2021 (Annexure P-9), in accordance with law, by passing a speaking order, within a period of 03 months, from the date of receipt of certified copy of this order.

6. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

16.04.2024
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No