

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

228

CWP-13349-2018 (O&M)
Decided on :07.03.2024

NARIAN DUTT

.....PETITIONER

Versus

STATE OF HARYANA AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr.S. K. Bhardwaj, Advocate for the petitioner.

Ms. Vibha Tewari, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that the petitioner has not been given the benefit of 3rd ACP on the ground that the petitioner while working on the post of Patwari has not cleared the departmental test for the post of Kanungo.

2. Learned counsel for the petitioner submitted that the said issue has already been attained finality keeping in view the order passed by the Co-ordinate Bench of this Court in **CWP No. 10051 of 2013 titled as 'Prthivi Singh v. State of Haryana and others', decided on 27.04.2016**, wherein the benefit of ACP has been extended to the petitioner qua the post of Patwari.

3. Learned counsel for the respondents has not been able to rebut the said judgment, by which, the claim of the similarly situated employee has been allowed in his favour.

4. Keeping in view the facts and circumstances of the present case where the question of law raised in the present petition has already been answered by the Co-ordinate Bench of this Court while passing order in **Prthivi Singh's case (supra)**, hence, the present petition is also allowed in same terms and conditions as held in **Prthivi Singh's case (supra)**

5. It may be noticed that the petitioner has already retired from the service and in case, after the grant of the benefit of third ACP, then petitioner becomes entitled for revision of his pay as well as his pension, then the same benefits be also granted to the petitioner along with arrears.

6.. Civil miscellaneous application pending, if any, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

07.03.2024
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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*