



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CWP No. 17664 of 2024

Date of Decision : 05.08.2024

Kulwinder Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Dr. Naresh Kaushik, Advocate for the petitioner.

Mr. Satnam Preet Singh, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that the grant of benefit of ACP upon rendering 4 years of service has been declined to the petitioner on the ground that the petitioner was actually promoted by an order dated 05.12.2017 (Annexure P-1) though, w.e.f. 09.11.2012, hence, the petitioner was required to have 4 years service after 01.07.2017, whereas the petitioner retired before completing the said service.

2. Learned counsel for the petitioner argues that once the petitioner was granted the benefit of retrospective promotion from 09.11.2012, the period of 4 years is to be treated from 09.11.2012 and not from the actual date of promotion, which was retrospective, hence, the impugned order dated 01.11.2021 (Annexure P-6) passed by the Divisional Forest Officer is arbitrary and illegal.



3. Notice of motion.

4. On the asking of the Court, Mr. Satnam Preet Singh, learned Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

5. Learned counsel for the respondents on instructions from Mr. Inderjeet Singh, Superintendent, Department of Forest & Wildlife, submits that the order dated 01.11.2021 (Annexure P-6) be treated as withdrawn with liberty to pass a fresh order on the claim of the petitioner for the grant of ACP on completion of 4 years of service and appropriate order will be passed within a period of eight weeks from the date of receipt of copy of this order.

6. Learned counsel for the petitioner submits that in view of the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

August 05, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No