



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CM-19894-CWP-2024 in/and
CWP-4292-2015 (O&M)
Date of Decision : 11.12.2024

Baldev Singh Bhulana

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Kunal Mulwani, Advocate for the petitioner.

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

Harsimran Singh Sethi J. (Oral)

CM-19894-CWP-2024

Present application has been filed for fixing the writ petition to an early actual date of hearing.

Notice of the application to the counsel opposite.

Mr. Satnam Preet Singh, Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of respondent-State and raises no objection for the grant of prayer as raised in the present application.

Keeping in view the above, application is allowed.

On the joint request of learned counsel for the parties, the writ petition is taken up for hearing today.



CWP-4292-2015 (O&M)

1. In the present petition, the grievance being raised by the petitioner is that petitioner has not been granted the benefit of Assured Career Progression Scheme in the Cadre of Assistant Agriculture Engineer and then in the Cadre of Agriculture Engineer, hence, the respondents be directed to grant the petitioner the benefit of said Assured Career Progression Scheme along with all the consequential benefits including revision of pay scale and revision of the pensionary benefits.

2. Upon notice of motion, the respondents have filed the reply, wherein, the respondents have given the detail in paragraph 2 of the preliminary objections with regard to the grant of benefit to the petitioner in the Cadre of Assistant Agriculture Engineer as well as Agriculture Engineer with regard to the claim of benefits under the Assured Career Progression Scheme after completion of 4, 9 and 14 years of service. The respondents have stated following in paragraph 2 of the preliminary objections :-

“2. It is stated that Sh. Baldev Singh Bhulana had joined as Assistant Agriculture Engineer on regular basis at PAS-2 on 06.01.1982, completed 9 years of service as Assistant Agriculture Engineer on 05.01.1991. He was given benefit of 4, 9, 14 years i.e. w.e.f. 01.01.1996. But he was promoted to the post of Agriculture Engineer (Biogas) on 20.07.1994. Hence, the higher pay scale of 9/14 years was not eligible to be granted to Sh. Baldev Singh Bhulana as Assistant Agriculture Engineer (Implements/Bio Gas) being w.e.f. 01.01.1996.

The regular service of Sh. Baldev Singh Bhulana in the cadre of Agriculture Engineer (Implement/Bio Gas) was



completed on 19.07.1998. A pay scale of ₹10025/- - ₹15100/- was to be granted to him w.e.f. 01.01.1999. But Sh. Baldev Singh Bhulana was already drawing pay scale of ₹12000/- - ₹16350/- before 01.01.1996. Sh. Baldev Singh Bhulana completed 9 years of service as Agriculture Engineer on 19.07.2003, but he had taken voluntarily retirement w.e.f. 03.01.2003. Hence Sh. Baldev Singh Bhulana is not entitled for any benefit of 4 years of service as Agriculture Engineer (Implement).”

3. The said averments have gone unrebutted and there is no replication at the hands of the petitioner.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Keeping in view the service career of the petitioner, the respondents have explained in paragraph 2 of the preliminary objections as to whether the petitioner has been granted the entitled Assured Career Progression Scheme or not. As per the reply filed, the petitioner has already been granted the benefit of Assured Career Progression Scheme in the Cadre of Assistant Agriculture Engineer as well as in the Cadre of Agriculture Engineer. The benefits of 04 years Assured Career Progression Scheme in the Cadre of Assistant Agriculture Engineer as well as Agriculture Engineer have been granted and as, the petitioner got promotion as Agriculture Engineer on 20.07.1994 and before completion of 09 years service on the post of Agriculture Engineer, the petitioner got voluntarily retirement same was not to be granted. The averments made in the reply clearly show that the



benefit admissible to the petitioner have already been granted to him, no ground is made out for any interference by this Court in the present petition.

- 6. Dismissed.
- 7. Pending miscellaneous application, if any, also stands disposed of.

December 11, 2024 (HARSIMRAN SINGH SETHI)
kanchan JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No