

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

108

CWP-23888-2022
Date of decision: 15.02.2024

Inderjeet Singh
.....Petitioner

Versus

State of Punjab and Others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Harish Sharma, Advocate for the petitioner.

AMAN CHAUDHARY. J.

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 certiorari for quashing the action of the respondents, whereby the petitioner has been granted benefits of Ist upgradation under the ACP scheme after the completion of 4 years of regular service from 16.02.2012, while reckoning his seniority from the date of joining i.e. 16.02.2008 instead of completion of 4 years of service on 07.12.2010.
2. Learned counsel would submits that the solitary issue in the case is that for the purpose of grant Ist increment under the ACP scheme to the petitioner, as the date for which has been taken from the date of joining instead of date of appointment, for which purpose, he has served a legal notice dated 26.06.2022, Annexure P-7 upon the respondents, which has yet not evoked any response. He relies on the judgment of the Division Bench of this Court in **CWP-20684-2006**, decided on 31.07.2007 wherein the similar issue has already been decided. 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. Charanpreet Singh, AAG 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 the respondents to look into the legal notice dated 26.06.2022, Annexure P-7 and decide the same within a period of 6 months, considering the judgment dated 31.07.2007 implementing it and if found entitled, necessary relief be granted to him forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioner therewith.

(AMAN CHAUDHARY)
JUDGE

15.02.2024
Hemant

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