



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CWP-27880-2024

Date of Decision: 08.11.2024

DHARAM PAL AND OTHERS

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Ms. Alka Chatrath, Advocate with
Mr. Nikhil Singh, Advocate and
Ms. Dhamanpreet Kaur, Advocate
for the petitioners.

Mr. R. S. Budhwar, Addl. A. G., Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the order, dated 01.07.2024, passed by the third respondent/District Elementary Education Officer, Charkhi Dadri, and similar orders passed by the fourth respondent/District Elementary Education Officer, Bhiwani, rejecting the petitioners' claim for grant of benefit of ACP scale under the Haryana Civil Service (Assured Career Progression) Rules, 2016.

2. Learned State counsel, on instructions, contends that the impugned order dated 01.07.2024, Annexure P-6, was passed by the third respondent/District Elementary Education Officer, though the second respondent/Director, Elementary Education was required to do so after considering the petitioners' legal notice dated 05.09.2022. The order, therefore, will be withdrawn and a fresh one will be passed by the second respondent in accordance with law expeditiously.

3. Learned counsel for the petitioners has no objection to the petition being disposed of in terms thereof. She, however, seeks liberty to the petitioners to submit an additional representation through their counsel bringing other relevant facts on record, which may also be considered by the second respondent along with the legal notice dated 05.09.2022.
4. In view thereof, the petition is disposed of with liberty to the petitioners to submit an additional representation through their counsel to the second respondent/Director, Elementary Education, within a period of two weeks from today, who shall consider and decide the same along with legal notice, dated 05.09.2022, by passing a speaking order thereupon within a period of eight weeks of receiving the representation.
5. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹50,000 to the petitioners.

(TRIBHUVAN DAHIYA)
JUDGE

08.11.2024
Ad

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>