



111

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP-6564-2026 (O&M)
Date of decision: 30.04.2026**

Sulekh Chand and others

... Petitioners

Vs.

Haryana Dairy Development Co-operative Federation Ltd. and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. J.S. Maanipur, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to grant the benefits of ACP along with interest @9% *per annum* on completion of 8/16 years of service in terms of ACP Rules applicable to the Milk Plant and further direct the respondents to decide the legal notice dated 30.09.2025 (Annexure P-2) within a stipulated timeframe.

2. Learned counsel for the petitioners, *inter alia*, contends that the petitioners joined the respondent-Federation's Milk Plant between the years



1973 and 1977 and they retired from the years 2009 to 2017. Further, as per Haryana Civil Services (Assured Career Progression) Rules, 1988, on completion of 08 years of service, the petitioners became entitled to benefits of 1st ACP and upon completion of 16 years of service, they were to be granted 2nd ACP scale, but the same were denied on the ground that they were not having the requisite eligibility qualifications for the promotional post. Though they were initially granted the benefits w.e.f. 31.12.1995, but later on, same was withdrawn vide order dated 11.07.2000. Learned counsel relies upon a judgment rendered by the Hon'ble Supreme Court in ***Amresh Kumar Sinha and others Vs. State of Bihar and others, 2024 (1) SLR 1999***. The aforesaid judgment was followed by the Division Bench of this Court in ***LPA-1885-2015*** titled as ***State of Haryana and others Vs. Parmanand and others***, decided on 05.03.2025 and also by this Court in ***CWP-5302-2021*** titled as ***Kanshi Ram Vs. Haryana Power Generation Corporation Ltd. and another***, decided on 04.09.2025 (Annexure P-1).

3. Learned counsel for the petitioners further contends that the petitioners served a legal notice dated 30.09.2025 (Annexure P-2) claiming the ACP benefits in the light of aforesaid judgments, however, till date, no action has been taken thereon. He submits that at this stage, the petitioners would be satisfied, if the legal notice dated 30.09.2025 (Annexure P-2) is decided by respondent No.2, by passing a speaking order, after affording an opportunity of hearing, in a time bound manner.



4. Notice of motion.

5. Mr. Divyansh Shukla, Advocate for Mr. Sukhdeep Parmar, Advocate accepts notice on behalf of the respondents and he has no objection, in case a direction is issued to respondent No.2 to consider and decide the legal notice dated 30.09.2025 (Annexure P-2), in a time bound manner, by passing a speaking order.

6. In view of the limited prayer made by learned counsel for the petitioners, present petition is disposed of and respondent No.2 is directed to consider and decide the legal notice dated 30.09.2025 (Annexure P-2) and pass a speaking order, after affording an opportunity of hearing to the petitioners, within a period of three months from the date of receipt of certified copy of this order.

7. Further, the decision taken on the legal notice dated 30.09.2025 (Annexure P-2) shall be conveyed to the petitioners.

8. Needless to say, if the petitioners are found entitled to the relief sought, the same be granted to them forthwith by the competent authority.

9. The pending miscellaneous application(s), if any, shall stand disposed of.

[HARPREET SINGH BRAR]
JUDGE

30.04.2026
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No