



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

118

CWP-6876-2026 (O&M)
Date of decision: 09.03.2026

Kuldeep Aggarwal @ Kuldeep Kumar Aggarwal

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Harsh Chopra, Advocate
for the petitioner.

Mr. Vikas Arora, DAG, Punjab.

Ms. Prabhjot Kaur, Advocate
for respondent No.4.

HARPREET SINGH BRAR J. (Oral)

1. The instant writ petition has been filed under Articles
226/227 of the Constitution of India, seeking the following reliefs:-

- i. Calling for the entire record of the case;*
- ii. Issue a writ in nature of Mandamus or any other
Order or Direction, directing the Respondents to release to
the Petitioner, all consequential benefits, for the post of
Municipal Engineer w.e.f. 19.07.2021, i.e. the date on
which the Petitioner was given notional promotion to the
post of Municipal Engineer, vide Order No. 13/5/2014-
4LG3/2191 dated 09.12.2025/15.12.2025, (Annexure P-5)
and also to pay interest @ 18% P.A. on the aforesaid
consequential benefits from the date of notional promotion
till the date of actual payment;*



iii. Issue a writ in nature of Mandamus or any other Order or Direction directing the Respondents to grant all the applicable financial benefits relating of Dynamic Assured Career Progression Scheme to the Petitioner upon completion of 4 years of regular and satisfactory service, which has been sanctioned to him w.e.f. 24.12.2015, vide Letter dated 25.08.2025 (Annexure P-3), as no financial benefits have been granted, along with the interest @ 18% P.A. to the petitioner on the aforesaid benefits;

iv. Issue a writ in nature of Mandamus or any other Order or Direction directing the Respondents to sanction and grant all the applicable financial benefits relating of Dynamic Assured Career Progression Scheme to the Petitioner on completion of 9 years of regular and satisfactory service, which accrued to him w.e.f. 24.12.2020 and has not been sanctioned till the institution of the present petition, along with the interest @ 18 % P.A. to the petitioner on the aforesaid benefits;

v. Issue a writ in nature of Mandamus or any other Order or Direction directing the Respondents to fix and release 100% full pension to the Petitioner, as the Petitioner is being paid only 80% provisional pension vide Order dated 27.03.2024 (Annexure P-13) and also to pay interest @ 18% P.A. for the delayed period on the amount towards the arrears of pension;

vi. Issue a writ of Mandamus or any other writ or direction, directing the Respondents to release the benefits of full gratuity, the remaining amount of the leave encashment along with all or any other applicable benefits to the petitioner along with the interest @ 18% per annum.



2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner joined the service as Junior Engineer on 06.01.1988 in the Department of Town and Country Planning, which was later merged with the Department of Local Government, Punjab. He was promoted as Assistant Municipal Engineer vide order dated 01.10.2013/08.10.2013 w.e.f. 24.12.2011 as discernible from Annexure P-1. On completion of four years of service, he became entitled to the 04 years Dynamic Assured Career Progression (ACP) w.e.f. 24.12.2015, which was recommended on 10.02.2016. However, later on two charge-sheets were issued in the year 2020 relating to events occurred in the year 2015. Both the charge-sheets were culminated into minor penalties of censure vide orders dated 05.08.2024/12.08.2024 (Annexure P-11) and 08.07.2025/21.07.2025 (Annexure P-14). Thereafter, the petitioner stood retired on 31.10.2023 as discernible from Annexure P-4 and only 80% provisional pension was granted to him vide order dated 27.03.2024 (Annexure P-8) and partial leave encashment of Rs.13,98,960/- was released on 08.02.2024. The 04 years Dynamic ACP was sanctioned w.e.f. 24.12.2015 vide order dated 20.08.2025/25.08.2025 (Annexure P-3), but the financial benefits have not been released to the petitioner. Similarly, notional promotion as Municipal Engineer w.e.f. 19.07.2021 was granted to the petitioner vide order dated 09.12.2025/15.12.2025 (Annexure P-5) but without consequential benefits. Feeling aggrieved, the petitioner filed representations dated 01.12.2025 (Annexure P-9) and 16.01.2026



(Annexure P-7) remain undecided. Learned counsel for the petitioner further contends that withholding 20% of pension and other benefits despite only minor penalties and the non-release of financial benefits to the petitioner under the sanctioned 04 years Dynamic ACP is arbitrary and contrary to principles of natural justice.

2.1. Learned counsel for the petitioner, at this stage, submits that he would be satisfied if the representation dated 16.01.2026 (Annexure P-7) of the petitioner is decided by respondents No.4 and 5 by passing a speaking order in a time bound manner.

3. Notice of motion.

4. Ms. Prabhjot Kaur, Advocate has put in appearance on behalf of respondent No.4 and files her Memo of Appearance, which is taken on record. The Registry is directed to tag the same at appropriate place.

5. Learned State counsel, appearing on advance notice, as well as learned counsel for respondent No.4 submits that they have no objection, in case a direction is issued to respondents No.4 and 5 for time-bound consideration and decision of the representation dated 16.01.2026 (Annexure P-7) of the petitioner by passing a speaking order.

6. Therefore, in view of the limited prayer made by learned counsel for the petitioner, the respondents No.4 and 5 are directed to consider the representation dated 16.01.2026 (Annexure P-7) of the petitioner and pass a speaking order, after affording an opportunity of



hearing to the petitioner, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to him along with interest @ 6% per annum, to be calculated from the date of imposition of the minor penalties of censure vide orders dated 05.08.2024/12.08.2024 (Annexure P-11) and 08.07.2025/21.07.2025 (Annexure P-14), in terms of the judgment rendered by Full Bench of this Court in *A.S. Randhawa Supg. Engineer (Retd.) vs. State of Punjab 1998 (1) SCT 343*, by respondents No.4 and 5.

7. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

09.03.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No