

CWP-19542-2026

2026:PHHC:088395



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

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Date of Decision: **01.07.2026**

Lal Singh

.....Petitioner

VERSUS

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Mukesh Yadav, Advocate for the petitioner.

Mr. Naveen Singh Panwar, DAG Haryana-State.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ or order in the nature of *mandamus* directing the respondents to grant the benefit of 3rd ACP to the petitioner w.e.f. 01.02.2020 along with all consequential pensionary benefit along with interest. Further directing the respondent to decide/consider the legal notice dated 29.07.2024 (Annexure P-2).

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner was appointed as a Physical Training Instructor (PTI) in Government High School, Kati, District Mahendergarh, on 01.01.1994, and

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his services were regularized with effect from 01.02.1996. The petitioner rendered continuous, unblemished, and satisfactory service throughout his tenure and, upon completion of 24 years of regular satisfactory service, became entitled to the grant of the 3rd Assured Career Progression (ACP) under the Haryana Civil Services (Assured Career Progression) Rules, 2016. The Government of Haryana introduced the Haryana Civil Services (Assured Career Progression) Rules, 2016, vide Notification No. 1/20/2016(ACP)-5PR(FD) dated 28.10.2016, with effect from 01.01.2016. In terms of Rule 7(3) of the said Rules, a Government employee becomes entitled to the 1st, 2nd, and 3rd ACP on completion of 8, 16, and 24 years, respectively, of regular satisfactory service. The petitioner retired from service on 31.01.2020 upon attaining the age of superannuation after rendering 24 years of regular satisfactory service. However, the respondents have illegally and arbitrarily denied the benefit of the 3rd ACP to the petitioner on the hyper-technical ground that the completion of 24 years of service fell on the next day, i.e., 01.02.2020.

2.1 It is further submitted that the Government of Haryana, vide Instructions No.6/183/2018-4PR(FD)/978 dated 04.01.2024 (Annexure P-1), has clarified that an employee who has rendered more than six months' service during a year is entitled to the benefit of annual increment. Despite the aforesaid clarification, the respondents failed to extend the benefit of the 3rd ACP to the petitioner. Aggrieved by the arbitrary action of the respondents, the petitioner served a legal notice dated 29.07.2024 (Annexure

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P-2) calling upon them to grant the aforesaid benefit. However, no action has been taken thereon.

2.2 Learned counsel for the petitioner at this stage submits that he would be satisfied if a direction is issued to respondent No.2 to decide the legal notice dated 29.07.2024 (Annexure P-2) by passing a speaking order in a time bound manner.

3. Notice of motion.

4. Mr. Naveen Singh Panwar, learned Deputy Advocate General, waives service of notice on behalf of the respondents-State and submits that he has no objection in case a direction is issued to respondent No.2 to hear and decide the legal notice dated 29.07.2024 (Annexure P-2) in a time bound manner.

5. In view of the limited prayer made by counsel for the petitioner without commenting upon the merits of the case, the present petition is disposed of and respondent No.2/competent authority is directed to hear and decide the legal notice dated 29.07.2024 (Annexure P-2) filed by the petitioner in a time bound manner and pass a speaking order, within a period of two months from the date of receipt of certified copy of this order.

6. Needless to say, if the petitioner is found entitled to the relief sought, the same be granted to him forthwith by respondents/competent authority.

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7. Pending miscellaneous application(s), if any, shall also stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

01.07.2026
Puneet Chawla

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No