



CWP-6736-2021

:1:

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CWP-6736-2021 (O&M)  
Date of decision : 08.07.2025

JASPAL KAUR

..... Petitioner

VERSUS

BABA FARID UNIVERSITY OF HEALTH SCIENCES, FARIDKOT

..... Respondent

CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present :- Mr. Shreesh Kakkar, Advocate,  
for the petitioner.

Mr. Naresh Kumar, Advocate  
for the respondent.

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**Deepinder Singh Nalwa, J. (Oral)**

1. In the present writ petition, the petitioner prays for a direction to the respondents to grant her the benefit of the Assured Career Progression Scheme after completion of 4, 9 and 14 years of service, in terms of the instructions issued by the State of Punjab vide circular dated 03.11.2006 (Annexure P-3).

2. The brief facts of the case are that the petitioner was appointed as a Staff Nurse on recommendation of Departmental Selection Committee on adhoc basis at Guru Gobind Singh Hospital, Faridkot, and joined the service on 01.10.1983. The services of the petitioner were regularized w.e.f. 28.02.1984. Subsequently, the hospital where the petitioner was working was taken over by Baba Farid University of Health Sciences, Faridkot, in the year 2003.



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Thereafter, the petitioner was appointed as a Demonstrator by way of transfer in the year 2004.

3. The State of Punjab issued instructions on 03.11.2006 (Annexure P-3) regarding the grant of ACP scales upon completion of 4, 9 and 14 years of service. The petitioner submitted a representation dated 08.10.2009 (Annexure P-4), claiming entitlement to the grant of ACP scales w.e.f. 01.01.2008, on the ground that she had completed four years of service by then. Subsequently, petitioner submitted two additional representations upon completion of 09 years and another after completion of 14 years of service. However, no action was taken by the respondent-University on the said representations. Consequently, the petitioner has filed the present writ petition in the year 2021, claiming the benefit of the ACP scales.

4. Learned counsel for the petitioner submits that in terms of the information obtained under the Right to Information Act, 2005 (Annexure P-7), the petitioner is entitled to the benefit of ACP scales under the ACP Scheme, in terms of the instructions issued by the State of Punjab dated 03.11.2006 (Annexure P-3).

5. On the other hand, learned counsel appearing on behalf of the respondent submits that the ACP scales are granted to the employees of the University as per the notification issued by the Government of Punjab from time to time. However, the benefit of ACP scales under the ACP Scheme is not applicable to Tutor/Demonstrator (Nursing) as such, the petitioner would not be entitled to grant of ACP scales under the ACP Scheme.

6. After hearing the parties and going through the record of case, the issue involved is whether the petitioner, who was working on the post of



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**:3:**

Demonstrator, is entitled for grant of ACP scales under the ACP Scheme. The petitioner has relied only on the information sought under the RTI Act and on that basis, claims entitlement to the benefit of ACP scales under the ACP Scheme.

7. The respondent has taken a specific stand in the written statement that the ACP scheme is not applicable in the case of Tutor/Demonstrator (Nursing) i.e. teaching cadre. The petitioner has not controverted the above said stand taken by the respondents by way of filing any replication. Even otherwise, petitioner has not placed on record any rules or regulations, except the information sought under the RTI Act, to show that the ACP Scheme is applicable in a case of petitioner.

8. A perusal of the information sought under the RTI Act (Annexure P-7) would show that it does not show that the ACP Scheme is applicable in the case of Tutors/ Demonstrator. It only mention “as per the Punjab Government Civil Service Rules”. From the above, it cannot be held that the petitioner is entitled for the benefit of the ACP scales under the ACP Scheme.

9. In view of the above, no relief can be granted to the petitioner. Accordingly, the present writ petition is dismissed.

10. Pending application(s), if any, stand(s) disposed of accordingly.

**(DEEPINDER SINGH NALWA)**  
**JUDGE**

**08.07.2025**

Rimpal

Whether speaking/reasoned  
Whether Reportable :

Yes/No  
Yes/No