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

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Date of decision : 04.09.2025

Gurmail Singh

... Appellant

Versus

State of Punjab

.. Respondent

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present:- Mr. Arihant Goyal, Advocate for the appellant.

Mr. Aftab Singh Khara, Senior DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The appellant has challenged the judgment of the Single Bench passed on 27.08.2024, only to the extent that while granting the benefit of ACP, no interest had been ordered on the arrears accruing thereon.

2. Learned counsel for the appellant submits that as the appellant had been wrongly denied the benefit of ACP but had been granted the same vide the judgment of the Single Bench, he would also be entitled to arrears along with interest thereon. The appellant was entitled to the benefit of ACP on completion of 04 years of service on 02.10.1992 as he was promoted to Deputy Superintendent of Police w.e.f. 03.10.1988.

3. Heard.

4. The appellant is stated to have been promoted as Deputy Superintendent of Police w.e.f. 20.01.1992. Vide the order dated 02.06.1997



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(Annexure P-8), he was deemed to have been promoted to the post of Deputy Superintendent of Police w.e.f. 03.10.1988. He had been directed to officiate as the Superintendent of Police on 30.01.1995 and had been granted the benefit of Rs.200/- per month, as he was holding the additional charge of the higher post. In terms of the instructions issued on 17.04.2000, the appellant was entitled to the benefit of 1st ACP upon completion of 04 years of service. Vide the order dated 15.07.2003 (Annexure P-1), the appellant had initially been granted the benefit of ACP but later the same was withdrawn on the ground that he had been officiating as Superintendent of Police w.e.f. 30.01.1995 and there was no stagnation and therefore, he is not entitled to the benefit of ACP. The withdrawal of ACP was impugned by the appellant by preferring a writ petition and the Single Bench had quashed the order withdrawing the benefit of ACP and had directed that the benefit of ACP be released to him in terms of the instructions dated 15.07.2003. The Single Bench had also held that he would be entitled to arrears of ACP but without any interest thereon.

5. Admittedly, although the appellant had been officiating as Superintendent of Police, but he was still holding the substantive rank of Deputy Superintendent of Police and had not completed 04 years of service as Deputy Superintendent of Police on 30.01.1995 when he was given the additional charge of Superintendent of Police. He was also drawing a special allowance of Rs.200/- per month while he was discharging the duties of the higher post. The order withdrawing the benefit of ACP had been set aside by the Single Bench and the appellant has been granted arrears thereon. Therefore, we do not find any illegality in the order of the Single Bench in



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balancing the equities and protecting the rights of the appellant by directing the respondents to pay the arrears of ACP without interest thereon.

6. At this juncture, learned counsel for the appellant submits that the pension of the appellant has not been revised in terms of the benefit of ACP which has been granted by the Single Bench.

7. Learned State counsel submits that he does not have any instructions as to whether the pension has been revised.

8. There appears to be merit in the contention of learned counsel for the appellant that the pension ought to be revised in terms of the impugned judgment.

9. Consequently, the Letters Patent Appeal is disposed of with a direction to the respondents to revise the pension of the appellant, while including the benefit of ACP, if not already done, within a period of one month from now.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

September 04, 2025

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