

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 5117 of 2003 (O&M)

Date of Decision: 25.08.2015

Rajinder Kumar & others

--Petitioners

Versus

State of Haryana & others

--Respondents

**CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR.
HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. B.K. Bagri, Advocate for the petitioners.

Mr. Deepak Balyan, Addl. A.G., Haryana.

S.J. VAZIFDAR, A.C.J. (Oral)

The petitioners seek the benefit of a scheme which was modified by govt. instructions dated 7.8.1992. Under the scheme additional increment was granted to employees on completion of 8/18 years of regular satisfactory service. The petitioners have referred to a notification dated 15.3.2002 stating that the ad hoc service is not to be counted towards regular service for the purpose of calculation of the prescribed length of service for the grant of additional increment on completion of 8/18 years service under the scheme dated 7.8.1992.

The issue stands concluded by the judgement of a Division Bench of this Court in case of *Hanumant Singh and others vs. State of Haryana and another, 2008(4) RSJ, 756*. The Division Bench held as under:-

“22. Therefore, in view of the above discussion, question no.1, referred to above, stands answered against the petitioners whereas question nos. 2 and 3 stand answered in favour of the petitioners and against the respondents and it is held as under:-

(a) *ad hoc/work charged service followed by regular service shall not be counted for the purposes of grant of higher pay scale/benefit of Assured Career Progression Scheme on completion of 8/18 or 10/20 years of service.*

(b) *ad hoc/work charged service followed by regular service shall be counted for the purposes of grant of additional increment in the running scale on completion of 10/20 or 8/18 years of service.*

(c) *ad hoc service followed by regular service shall be counted for the purposes of pension and seniority.*

So, all these writ petitions stand disposed of with the above-said observations. The respondents are directed to fix the salary of the petitioners after taking into account the above-said observations.”

This writ petition is disposed of in the same terms as held in paragraph 22 (b) and (c), referred to above. The respondents shall calculate the petitioners' entitlement accordingly.

Disposed of.

(S.J. Vazifdar)
Acting Chief Justice

(Tejinder Singh Dhindsa)
Judge

25.08.2015
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